



भारत का राजपत्र The Gazette of India

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सं० 12]

नई दिल्ली, शनिवार, मार्च 22, 1997/चैत्र 1, 1919

No. 12]

NEW DELHI, SATURDAY, MARCH 22, 1997/CHAITRA 1, 1919

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-Section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(other than the Ministry of Defence)

विधि और न्याय मंत्रालय

MINISTRY OF LAW AND JUSTICE

(विधि कार्य विभाग)

(Department of Legal Affairs)

(न्यायिक अनुभाग)

(Judicial Section)

सूचना

NOTICE

New Delhi, the 25th February, 1997

नई दिल्ली, 25 फरवरी, 1997

का० आ० 732.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री हरपाल सिंह, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे भटिण्डा जिला (पंजाब) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाये।

S.O. 732.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority under Rule 4 of the said Rules, by Shri Harpal Singh Advocate for appointment as a Notary to practise in Bhatinda District (Punjab).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[सं० 5(40)/97-न्यायिक]

[No. F. 5(40)/97-Judl.]

न. सी० जैन, सक्षम प्राधिकारी एवं अपर विधि सलाहकार

N. C. JAIN, Competent Authority & Addl. Legal Adviser.

सूचना

नई दिल्ली, 28 फरवरी, 1997

का.आ. 733:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री गणेश सेठ, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे तहसील अबोहर (पंजाब) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं. 5 (37)/97-न्यायिक]

एन. सी. जैन, सक्षम प्राधिकारी एवं

अपर विधि सलाहकार

NOTICE

New Delhi, the 28th February, 1997

S.O. 753.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority under Rule 4 of the said Rules, by Shri Ganesh Seth, Advocate for appointment as a Notary to practise in Teh. Abohar (Punjab).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(37)/97-Judl.]

N. C. JAIN, Competent Authority & Addl. Legal Adviser.

सूचना

नई दिल्ली, 28 फरवरी, 1997

का.आ. 734:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री ध्यान सिंह मान एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे तोहाना सब-डिविजन हिसार जिला (हरयाणा) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं. 5(34)/97-न्यायिक]

एन. सी. जैन, सक्षम प्राधिकारी एवं अपर विधि सलाहकार

NOTICE

New Delhi, the 28th February, 1997

S.O. 734.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Dhian Singh Mann Advocate for appointment as a Notary to practice in Tohana Sub-Division, Distt. Hissar (Haryana).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

N. C. JAIN, Competent Authority & Addl. Legal Adviser.

सूचना

नई दिल्ली, 3 मार्च, 1997

का.आ. 735:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री महावीर सिंह एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे नोयडा (उत्तर प्रदेश) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं. 5(36)/97-न्यायिक]

एन. सी. जैन, सक्षम प्राधिकारी एवं अपर विधि सलाहकार

NOTICE

New Delhi, the 3rd March, 1997

S.O. 735.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Mahavir Singh Advocate for appointment as a Notary to practise in NOIDA (U.P.).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(36)/97-Judl.]

N. C. JAIN, Competent Authority & Addl. Legal Adviser.

सूचना

नई दिल्ली, 3 मार्च, 1997

का.आ. 736:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री डी एम मानेकर, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे इरुण्डवाने (महाराष्ट्र) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं. 5(31)/97-न्यायिक]

एन. सी. जैन, सक्षम प्राधिकारी एवं अपर विधि सलाहकार

NOTICE

New Delhi, the 3rd March, 1997

S.O. 736.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority under Rule 4 of the said Rules, by Sh. D. M. Bhalekar, Advocate for appointment as a Notary, to practice in Erandwana (Maharashtra).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(31)/97-JudL.]

N. C. JAIN, Competent Authority & Addl. Legal Adviser.

नई दिल्ली, 3 मार्च, 1997

का.आ. 737 :—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री जयवन्त जगद्वि पाटिल एडवोकेट ने उक्त प्राधिकारी को उक्त नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे धुले (देवपुर) महाराष्ट्र में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(32)/97-न्यायिक]

एन.सी. जैन, सक्षम प्राधिकारी एवं अपर विधि सलाहकार

NOTICE

New Delhi, the 3rd March, 1997

S.O. 737.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority under Rule 4 of the said Rules, by Sh. Jaiwant Zugaru Patil, Advocate for appointment as a Notary to practice in Dhule (Deopar) Maharashtra.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F.5(32)/97-JudL.]

N. C. JAIN, Competent Authority & Addl. Legal Adviser

सूचना

नई दिल्ली, 3 मार्च, 1997

का.आ. 738 :—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री सुरेश चन्द एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे डीग (राजस्थान) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(41)/97-न्यायिक]

एन.सी. जैन, सक्षम प्राधिकारी एवं अपर विधि सलाहकार

NOTICE

New Delhi, the 3rd March, 1997

S.O. 738.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority under Rule 4 of the said Rules, by Sh. Kapoor Chand for appointment as a Notary to practice in Deeg Distt. Bharatpur (Rajasthan).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(41)/97-JudL.]

N. C. JAIN, Competent Authority & Addl. Legal Adviser.

गृह मंत्रालय

नई दिल्ली, 7 मार्च, 1997

का.आ. 739 :—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में, गृह मंत्रालय के निम्नलिखित कार्यालयों में हिन्दी का कार्यसाधक ज्ञान रखने वाले कर्मचारियों की संख्या 80 प्रतिशत से अधिक हो जाने के फलस्वरूप उन्हें एतद्वारा अधिसूचित करती है:—

1. 17 बटालियन सीमा सुरक्षा बल
2. 42 बटालियन सीमा सुरक्षा बल
3. 130 बटालियन सीमा सुरक्षा बल
4. 172 बटालियन सीमा सुरक्षा बल
5. 21 बटालियन सीमा सुरक्षा बल
6. 129 बटालियन सीमा सुरक्षा बल
7. 132 बटालियन सीमा सुरक्षा बल
8. फॉटियर मुख्यालय उत्तर बंगाल, सीमा सुरक्षा बल
9. 24 बटालियन सीमा सुरक्षा बल
10. 34 बटालियन सीमा सुरक्षा बल
11. 108 बटालियन सीमा सुरक्षा बल

[संख्या 12017/1/95-हिन्दी]

के. सी. कपूर, निदेशक

MINISTRY OF HOME AFFAIRS

New Delhi, the 7th March, 1997

S.O. 739.—In pursuance of Sub-rule (4) of Rule 10 of the Official Language (use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices of the Ministry of Home Affairs where the percentage of Hindi knowing staff has gone above 80 per cent :—

1. 17 Battalion, Border Security Force.
2. 42 Battalion, Border Security Force.

3. 130 Battalion, Border Security Force.
4. 172 Battalion, Border Security Force.
5. 21 Battalion, Border Security Force.
6. 129 Battalion, Border Security Force.
7. 132 Battalion, Border Security Force.
8. Frontier Headquarter North Bengal, Border Security Force.
9. 24 Battalion, Border Security Force.
10. 34 Battalion, Border Security Force.
11. 108 Battalion, Border Security Force.

[No. 12017/1/95-HINDI]

K. C. KAPOOR, Director

वित्त मंत्रालय

(आर्थिक कार्य विभाग)

नई दिल्ली, 28 फरवरी, 1997

का.भा. 740.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियमावली, 1976 के नियम 10 के उप नियम (4) के अनुसरण में वित्त मंत्रालय, आर्थिक कार्य विभाग के प्रशासनिक नियंत्रण में स्थित भारतीय यूनिट ट्रस्ट के निम्नलिखित कार्यालय को, जिसके 80 प्रतिशत से अधिक कर्मचारीवृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करता है :—

भारतीय यूनिट ट्रस्ट,

उत्तरी औद्योगिक कार्यालय,

द्वार-2, जेवन भारती, 13 वीं मंजिल,

124-कनाउट सर्कस,

नई दिल्ली-110001

[संख्या 11013/12/97-हि.का.क.]

गुधोरे कुमार वर्मा, अवर सचिव

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 28th February, 1997

S.O. 740.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (use for official purpose of the Union) Rules, 1976 the Central Government hereby notifies the following office of Unit Trust of India, under the Administrative Control of Ministry of Finance, Department of Economic Affairs, where of more than 80 percent of staff have acquired working knowledge of Hindi.

1. UNIT TRUST OF INDIA

Northern Zonal Office

Tower II, Jeevan Bharti, 13th Floor,

124-Connaught Circus,

New Delhi-110001.

[No. 11013/12/97-H.I.C.]

S. K. VERMA, Under Secy.

नई दिल्ली, 28 फरवरी, 1997

का.भा. 741.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियमावली, 1976 के नियम 10 के उप नियम (4) के अनुसरण में वित्त मंत्रालय, आर्थिक कार्य विभाग के प्रशासनिक नियंत्रण में स्थित भारतीय साधारण बीमा निगम की अनुबंधी कंपनियों के निम्नलिखित कार्यालयों को, जिनके 80 प्रतिशत से अधिक कर्मचारीवृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है :—

1. कंपनों का नाम : नेशनल इश्योरेंस कंपनी लिमिटेड

1. शाखा कार्यालय, फगवाड़ा

2. शाखा कार्यालय, मुल्तापुर
3. शाखा कार्यालय-2, जालंधर
4. शाखा कार्यालय, मानेरकोटला
5. शाखा कार्यालय, बरनाला
6. मंडल कार्यालय-8, कलकत्ता
7. शाखा कार्यालय, फिरोजपुर
8. शाखा कार्यालय, नवांशहर
9. मंडल कार्यालय, संगरूर
10. क्षेत्रीय कार्यालय-2, मुम्बई
11. शाखा कार्यालय-1, मुम्बई
12. मंडल कार्यालय 14, मुम्बई
13. मंडल कार्यालय-15, मुम्बई
14. मंडल कार्यालय-16, मुम्बई
15. मंडल कार्यालय-19, मुम्बई
16. मंडल कार्यालय-2, सूरत
17. डायरेक्ट एजेंट शाखा कार्यालय, बड़ौदा
18. सूरत डायरेक्ट एजेंट शाखा कार्यालय, बड़ौदा
19. डायरेक्ट एजेंट शाखा कार्यालय, ब्रह्मदाबाद
20. शाखा कार्यालय-2, वेरावल
21. मंडल कार्यालय-8, कलकत्ता
22. शाखा कार्यालय, भिवांडी
23. शाखा कार्यालय, ठाणे
24. मंडल कार्यालय, ठाणे
25. शाखा कार्यालय, औरंगाबाद
26. शाखा कार्यालय, चास
27. क्षेत्रीय कार्यालय, पटना
28. शाखा कार्यालय, नासिक सिटी
29. एन.आई.डी. चौ शाखा कार्यालय, नागपुर
30. शाखा कार्यालय-1, कोल्हापुर
31. शाखा कार्यालय, जलगांव
32. शाखा कार्यालय, प्रोतविहार
33. डायरेक्ट एजेंट शाखा कार्यालय-1
34. मंडल कार्यालय-2, जालंधर
35. डायरेक्टर एजेंट शाखा, गाजियाबाद
36. डायरेक्टर एजेंट शाखा, राजेन्द्र प्लेस, नई दिल्ली
37. डायरेक्ट एजेंट शाखा-30-31 ए, आसफगंजी रोड, नई दिल्ली-110002
38. डायरेक्ट एजेंट शाखा, 12, कम्युनिटी सेंटर, प्रथम तल, नई दिल्ली-110055।
39. शाखा कार्यालय, स्वीस रोड, अमृतसर
40. शाखा कार्यालय, कोटकपुरा, रोड मुक्तसर
41. शाखा कार्यालय, तर्कोदर

42. डायरेक्ट एजेंट शाखा, नोएडा
43. डायरेक्ट एजेंट शाखा-2, दरियागंज, नई दिल्ली-110002

2. कंपनी का नाम : दि न्यू इंडिया एश्योरेंस कंपनी लिमिटेड

1. प्रादेशिक कार्यालय, चंडीगढ़
2. मंडल कार्यालय, गुड़गांव-141400
3. शाखा कार्यालय, महापसा-141302
4. प्रत्यक्ष एजेंट शाखा कार्यालय, पणजी-141303
5. शाखा कार्यालय, पोंडा-141401
6. शाखा कार्यालय, पणजी-141300
7. डायरेक्ट एजेंट शाखा कार्यालय, भोपाल-450108
8. मंडल कार्यालय, अमृतसर-350400
9. शाखा कार्यालय, अमृतसर-350401
10. शाखा कार्यालय, रैवा-350404
11. शाखा कार्यालय, बटाला-350406
12. मंडल कार्यालय-1, चंडीगढ़-350100
13. मंडल कार्यालय-2, चंडीगढ़-350300
14. शाखा कार्यालय, खंडोला
15. मंडल कार्यालय, जलंधर-350800
16. शाखा कार्यालय, जलंधर-350801
17. शाखा कार्यालय, पटेल चौक-350802
18. शाखा कार्यालय, कपूरथला-350803
19. शाखा कार्यालय, करतारपुर-350805
20. शाखा कार्यालय, जलंधर-350807
21. मंडल कार्यालय, मोहाली
22. मंडल कार्यालय, मोंगा
23. शाखा कार्यालय, जगदाबा

3. कंपनी का नाम : दि ओरिएंटल इश्योरेंस कंपनी लिमिटेड :

1. मंडल कार्यालय 4, कानपुर

[सं. 11013/12/97-ई.का.फ.]

सुधीर कुमार वर्मा, अवर सचिव

New Delhi, the 28th February, 1997

S.O. 741.—In pursuance of Sub-rule (4) of Rule 10 of the Official Language (use for official purpose of the Union) Rule, 1976, the Central Government hereby notifies the following offices of Subsidiary Companies of the General Insurance Corporation of India, under the Administrative control of Ministry of Finance, Department of Economic Affairs, where of more than 80% of staff have acquired working knowledge of Hindi.

I. Name of the Company : National Insurance Co. Ltd.

1. Branch Office, Phagwara
2. Branch Office, Mullapur
3. Branch Office-2, Jalandhar
4. Branch Office, Malerkotla
5. Branch Office, Barnala
6. Divisional Office-8, Calcutta
7. Branch Office, Firozpur
8. Branch Office, Nawanshahar

9. Divisional Office, Sangroor
10. Regional Office 2, Mumbai
11. Branch Office-1, Mumbai
12. Divisional Office-14, Mumbai
13. Divisional Office-15, Mumbai
14. Divisional Office 16, Mumbai
15. Divisional Office-19, Mumbai
16. Divisional Office-2, Surat
17. Direct Agent Branch Office, Baroda
18. Surat Direct Agent Branch Office, Baroda
19. Direct Agent Branch Office, Ahmedabad
20. Branch Office-2, Veraval
21. Divisional Office-8, Calcutta
22. Branch Office, Bhiwandi
23. Branch Office, Thane
24. Divisional Office Thane
25. Branch Office, Aurangabad
26. Branch Office, Chaus
27. Regional Office, Patna
28. Branch Office, Nasik City
29. N.I.D. Chowk Branch Office, Nagpur
30. Branch Office-I, Kolhapur
31. Branch Office, Shangoan
32. Branch Office, Preet Vihar
33. Direct Agent Branch Office-1,
34. Divisional Office-2, Jalandhar
35. Direct Agent Branch, Ghaziabad
36. Direct Agent Branch, Rajindra Palace, New Delhi
37. Direct Agent Branch, 30-31A Asaf Ali Road, New Delhi-110002
38. Direct Agent Branch, 12-Community Hall, 1st floor New Delhi-110065
39. Branch Office, Quence Road, Amritsar
40. Muktsar Branch Office, Kotakpora Road, Muktsar
41. Nakodar Branch Office, Nakodar
42. Direct Agent Branch, Noida
43. Direct Agent Branch-2, Daryaganj, New Delhi-110002

II. Name of the Company : The New India Assurance Co. Ltd.

1. Regional Office, Chandigarh
2. Divisional Office, Madgoan-141400
3. Branch Office, Mahapsa-141302
4. Direct Agent Branch Office, Panji-141303
5. Branch Office, Ponda-141401
6. Branch Office, Panji-141300
7. Direct Agent Branch Office, Bhopal-450108
8. Divisional Office, Amritsar-350400
9. Branch Office, Amritsar-350401
10. Branch Office, Raiya-350404
11. Branch Office, Batala-350406
12. Divisional Office-1, Chandigarh-350100
13. Divisional Office-2, Chandigarh-350300
14. Branch Office, Sector-17, Chandigarh
15. Divisional Office, Jalandhar-350800
16. Branch Office, Patel Chowk-350802
17. Branch Office, Patel Chowk-350802
18. Branch Office, Kapurthala-350802

19. Branch Office, Kartarpur-350805
20. Branch Office, Jalandhar-350807
21. Divisional Office, Mohali
22. Divisional Office, Monga
23. Branch Office, Jagraon

III. Name of the Company : The Oriental Insurance Co. Ltd.

1. Divisional Office-4, Kanpur

[No. 11013/12/97-H.L.C.]

S. K. VERMA. Under Secy.

नई दिल्ली, 28 फरवरी, 1997

नं.आ. 742.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियमावली, 1976 के नियम 10 के उप-नियम (1) के अनुसरण में वित्त मंत्रालय, के आर्थिक कार्य विभाग के प्रशासनिक नियंत्रण में स्थित भारतीय जीवन बीमा निगम के निम्न-लिखित कार्यालयों को, जिनके 80 प्रतिशत से अधिक कर्मचारी, बृहत् ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

1. शाखा कार्यालय, अमृतसर-3
2. सी.ए.बी. शाखा कार्यालय, अमृतसर
3. शाखा कार्यालय, तरनतारन
4. शाखा कार्यालय, बटाला-2
5. मंडल कार्यालय ब्रिस्तपुर, जमशेदपुर-831001
6. शाखा कार्यालय-1, बिस्तपुर, जमशेदपुर-831001
7. शाखा कार्यालय-2, बिस्तपुर, जमशेदपुर-831001
8. शाखा कार्यालय-3, जमशेदपुर-831001
9. शाखा कार्यालय-4, बिस्तपुर, जमशेदपुर-831001
10. सी.ए.बी. शाखा, बिस्तपुर, जमशेदपुर-831001
11. शाखा कार्यालय, आदित्यपुर, जमशेदपुर-831003
12. शाखा कार्यालय जगसलाई, जमशेदपुर-831001
13. शाखा कार्यालय मानगो, जमशेदपुर-831001
14. पथन व ममूह बीमा इकाई बिस्तपुर, जमशेदपुर-831001
15. शाखा कार्यालय, लाईबासा
16. शाखा कार्यालय, चक्रधरपुर
17. शाखा कार्यालय पूर्वी सिंहभूम, घाटशिला
18. शाखा कार्यालय, डाब्लमज-1
19. शाखा कार्यालय, गढ़वा
20. शाखा कार्यालय, मुमला
21. शाखा कार्यालय-1, राँची-834001
22. शाखा कार्यालय-2, लाँको-834001
23. सी.ए.बी., राँची-834001
24. शाखा कार्यालय झीनू, राँची-834001
25. शाखा कार्यालय खैलारी, राँची
26. शाखा कार्यालय, फगवाड़ा
27. शाखा कार्यालय, नकोदर
28. शाखा कार्यालय, फिन्लीर
29. शाखा कार्यालय, कतरापुर
30. शाखा कार्यालय, गढ़गंकर
31. शाखा कार्यालय, मनांद
32. शाखा कार्यालय, औद्योगिक क्षेत्र शाखा, जालंधर

33. मंडल कार्यालय, हुलझानी-263141
34. सी. एण्ड बी. एम. शाखा कार्यालय, देहरादून
35. मंडल कार्यालय, उदयपुर
36. शाखा कार्यालय, उदयपुर-1
37. शाखा कार्यालय-उदयपुर-2
38. शाखा कार्यालय, शक्ति नगर
39. शाखा कार्यालय, श्रृंगमदेव
40. शाखा कार्यालय, राजसमंद
41. शाखा कार्यालय, नाथद्वारा
42. शाखा कार्यालय, भीम
43. शाखा कार्यालय, चित्तौड़गढ़
44. शाखा कार्यालय, प्रतापगढ़
45. शाखा कार्यालय, निम्बाहेड़ा
46. शाखा कार्यालय, बैंगू
47. शाखा कार्यालय, बांसवाड़ा
48. शाखा कार्यालय, डूंगरपुर
49. शाखा कार्यालय, सांगवाड़ा
50. मंडल कार्यालय, नादेड़-431601
51. शाखा कार्यालय, नादेड़-431603
52. शाखा कार्यालय, नादेड़-431601
53. शाखा कार्यालय, बैंगलूर-431717, जिला नादेड़
54. शाखा कार्यालय, भोकर, जिला नादेड़
55. शाखा कार्यालय, "जीवन प्रभास" परमणी
56. शाखा कार्यालय, हिंगोली-431513
57. शाखा कार्यालय, जालना-431203
58. शाखा कार्यालय सेलू, जिला परमणी

मंडल कार्यालय-2, दिल्ली :

59. शाखा कार्यालय, 12-टी
60. शाखा कार्यालय-1021

मंडल कार्यालय, बीकानेर :

61. शाखा कार्यालय, अन्पगड़

[सं. 11013/12/97-हि.का.क.]

सुधीर कुमार वर्मा, अधीक्षक सचिव

New Delhi, the 28th February, 1997

S.O. 742.—In pursuance of Sub-rule (4) of Rule 10 of the Official Language (use for official purpose of the Union) Rules, 1976 the Central Government hereby notifies the following offices of Life Insurance Corporation of India, under the Administrative control of Ministry of Finance, Department of Economic Affairs, where of more than 80 per cent of staff have acquired working knowledge of Hindi :—

1. Branch Office, Amritsar-3
2. C.A.B. Branch Office, Amritsar
3. Branch Office, Tarantaran
4. Branch Office, Batala-2
5. Divisional Office, Bistupur, Jamshedpur 831001
6. Branch Office-1, Bistupur, Jamshedpur-831001
7. Branch Office-2, Bistupur, Jamshedpur
8. Branch Office-3, Jamshedpur-831001
9. Branch Office-4, Bistupur, Jamshedpur
10. C.A.B. Branch, Bistupur, Jamshedpur-831001
11. Branch Office Adityapur, Jamshedpur-831003

12. Branch Office Jugsalai, Jamshedpur-831001
13. Branch Office Manago, Jamshedpur-831001
14. Pension and Group Insurance Unit, Bistepur, Jamshedpur-831001
15. Branch Office, Chaibusa
16. Branch Office, Chakardharpur
17. Branch Office, East Singhbhum, Ghatshila
18. Branch Office, Daltonganj-1
19. Branch Office, Garhwa
20. Branch Office, Gumla
21. Branch Office-1, Ranchi-834001
22. Branch Office-2, Ranchi-834001
23. C.A.B. Ranchi-834001
24. Branch Office Hinu, Ranchi-834021
25. Branch Office Khalaria, Ranchi
26. Branch Office, Phagwara
27. Branch Office, Nakodar
28. Branch Office, Philaur
29. Branch Office, Kartarpur
30. Branch Office, Gadhshankar
31. Branch Office, Malout
32. Branch Office, Industrial area Branch, Jalandhar
33. Divisional Office, Haldwani-263141
34. P. and G.S. Branch Office, Dehradun
35. Divisional Office, Udaipur-313001
36. Branch Office, Udaipur-1
37. Branch Office, Udaipur-2
38. Branch Office, Shaktinagar
39. Branch Office, Rishabhdeo
40. Branch Office, Rajsamand
41. Branch Office, Nathdwara
42. Branch Office, Bhim
43. Branch Office, Chittorgarh
44. Branch Office, Pratapgarh
45. Branch Office, Nimbahera
46. Branch Office, Begun
47. Branch Office, Banswara
48. Branch Office, Dungarpur
49. Branch Office, Sagwara
50. Divisional Office, Nanded-431601
51. Branch Office, Nanded-431603
52. Branch Office, Nanded-431601
53. Branch Office, Veglur-431717, District Nanded
54. Branch Office, Bhokar, District Nanded
55. Branch Office, "Jeevan Prabhu", Parbhani
56. Branch Office, Hingoli-431513
57. Branch Office Inlana-431203
58. Branch Office Selu, District Parbhani
Divisional Office-II, Delhi :
59. Branch Office, 12-T, Divisional Office Delhi-II
60. Branch Office-1021, Divisional Office Delhi-II
Divisional Office, Bikaner :
61. Branch Office, Anupgarh, Divisional Office Bikaner

[No. 11013/12/97-H.I.C.]
S. K. VERMA, Under Secy.

(बैंकिंग प्रभाग)

नई दिल्ली, 4 मार्च 1997

का० आ० 743.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के उप-खण्ड (1) के साथ पंक्ति बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उप-धारा 3 के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री टी० बंदोपाध्याय, अपर मुख्य महाप्रबंधक, भारतीय रिजर्व बैंक, मुम्बई को श्री के० एल० खेतपाल के स्थान पर पंजाब नेशनल बैंक का निदेशक नामित करती है।

[एफ० सं० 9/18/95-बी० ओ० I (i)]

सुधीर श्रीवास्तव, उप सचिव

(Banking Division)

New Delhi, the 4th March, 1997

S.O. 743.—In exercise of the powers conferred by clause (c) of sub-section 3 of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, read with sub-clause (1) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby nominates Shri T. Bandopadhyay, Additional Chief General Manager, Reserve Bank of India, Mumbai as a Director of Punjab National Banks vice Shri K. L. Khetarpaul.

[F. No. 9/18/95-B.O. I (i)]

SUDHIR SHRIVASTAVA, Dy. Secy.

नई दिल्ली, 4 मार्च, 1997

का० आ० 744.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1980 के खण्ड 3 के उपखण्ड (1) के साथ पंक्ति बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1980 की धारा 9 की उपधारा 3 के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा, श्री एम० एम० एम० रेखराव, मुख्य महाप्रबंधक, वित्तीय संस्थान गण्ड भारतीय रिजर्व बैंक, मुम्बई को श्री वाई० एम० पी० थोराट के स्थान पर, ओरिएंटल बैंक आफ कामर्स का निदेशक नामित करती है।

[एफ० सं० 9/18/95-बी० ओ० I (ii)]

सुधीर श्रीवास्तव, उप सचिव

New Delhi, the 4th March, 1997

S.O. 744.—In exercise of the powers conferred by clause (c) of sub-section 3 of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, read with sub-clause (1) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government hereby nominates Shri M.M.S. Rekhrav, Chief General Manager, Financial Institution Cell, Reserve Bank of India, Mumbai as a Director of Oriental Bank of Commerce vice Shri Y.S.P. Thorat.

[F. No. 9/18/95-B.O. I (ii)]

SUDHIR SHRIVASTAVA, Dy. Secy.

आयकर आयुक्त का कार्यालय, प० बं०-VIII

कलकत्ता, 9 जनवरी, 1997

का०आ०745:—मुख्य आयकर आयुक्त, कलकत्ता के एफ सं० सं०आ०/मुखा०/योजना/10/96-97 दिनांक 09-12-96 से जारी किए गए अधिसूचना सं० 7/96-97 दिनांक 09-12-96 के अनुसरण में तथा आयकर अधिनियम 1961 (1961 का 43) की धारा 120 की उपधारा (1) तथा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा हम दिशा में मुझे सक्षम बनाने वाली सभी शक्तियों का प्रयोग करते हुए मैं आयकर आयुक्त, पश्चिम बंगाल-8, कलकत्ता एतद्वारा निदेश देता हूँ कि नीचे दी गई अनुसूची के स्तम्भ (2) में दिए गए निर्धारित अधिकारी तत्सम्बन्धी स्तम्भ 3 में दिए गए मामलों के बारे में क्षेत्राधिकार का प्रयोग तत्काल प्रभाव से करेंगे।

अनुसूची

क्र०सं०	आयकर अधिकारी का पदनाम	क्षेत्राधिकार
01. आ०अ० वार्ड-2, दार्जिलिंग	(1) (क) दार्जिलिंग व कार्मियंग सर्वाड्वीजन के सभी व्यक्तियों जो कि किसी सरकारी विभाग या उपक्रम में किसी नागरिक कार्य निष्पादन के लिए ठेका लिया है या (ख) जो कि उपरोक्त स्तम्भ (1) में उल्लिखित ठेकेदार के अधीन उप-संविदा पर रत हैं । (ग) जो कि चिकित्सक के रूप में कार्यरत हैं या केमिस्ट व ड्रागिस्ट का कारभार करते हैं और (घ) दार्जिलिंग व कार्मियंग सर्वाड्वीजनों में रहने वाले सभी व्यक्तियों जिनकी आय बेतन से है । (2) उपरोक्त के (क) से (ग) में आने वाले सभी फर्मों के भागीदार ।	

[संख्या-3/96-97/सं. III-1/प०बं०-8/क्षेत्रा०/95-96/6341]

डी० चक्रवर्ती, आयकर आयुक्त

OFFICE OF THE COMMISSIONER OF INCOME TAX WEST BENGAL-VIII

Calcutta, the 9th January, 1997

S.O. 745.—In pursuance of Notification No. 7/96-97 dated 9-12-1996 issued from F.No. AC/HQ/Planning/10/96-97 dated 9-12-1996 by the Chief Commissioner of Income Tax, Calcutta and in exercise of the powers conferred by Sub-Section (1) and (2) of Section 120 of the Income Tax Act, 1961 (43 of 1961) and all other powers enabling me in this behalf, I, the Commissioner of Income Tax, West Bengal-VIII, Calcutta hereby direct that the Assessing Officer mentioned in Column (2) of the Schedule given below shall exercise the jurisdiction in respect of cases mentioned in the corresponding column 3 of the said schedule with immediate effect.

SCHEDULE

Sl. No.	Designation of the Income Tax Officer	Jurisdiction
1	2	3
1. I.T.O., Ward-2, Darjeeling	1. (a) All persons of Darjeeling & Kurseong Sub-Division who have any contract with any Govt. Department or undertaking for the execution of any civil work or (b) Who are carrying on sub-contract under the contractors mentioned (1) above.	

- (c) Who are practising as Doctors or carrying on business as Chemists and Druggists and
- (d) All persons residing in the sub-divisions or Darjeeling Kurseong deriving income from salary.

(2) Partners of all firms falling (a) to (c) above.

[No. 3/96-97/No. III-1/WB-VIII/Ter. Jur./95-96/6341]

D. CHAKRABARTI, Commissioner of Income Tax

नागरिक पूर्ति, उपभोक्ता मामले और सार्वजनिक वितरण मंत्रालय

नई दिल्ली, 07 मार्च, 1997

का०आ० 746 :—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा निर्बोदित रिपोर्टें (नीचे आकृति देखिए) पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्टें में वर्णित माडल वाट और माप मानक अधिनियम 1976 (1976 का 60) और वाट और माप मानक (माडल का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि वह लगातार प्रयोग की अवधि में यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा :

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यथार्थता (मध्यम यथार्थता) वर्ग 3 की "सी टी एच" सिरीज टाइप के एवरी ब्रांड नाम वाली पूर्णतः इलेक्ट्रॉनिक प्लेटफार्म तोलन मशीन के स्वतःसूचक माडल का (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण मैमर्स एवरी इंडिया लि० 50-54, सेक्टर 25, बल्लभगढ़-121004 द्वारा किया गया है और जिसे अनुमोदन चिह्न आई०एन०डी०/89/96/35 समनुदित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है ।



माडल (आकृति देखिए) एक मध्यम यथार्थता (यथार्थता वर्ग 3) की प्लेटफार्म तोलन मशीन है जिसकी अधिकतम क्षमता 1000 किलोग्राम और न्यूनतम क्षमता 10 किलोग्राम है । सत्यापन मापमान अंतर (ई) 500 ग्राम है । भारप्राप्ति प्लेटफार्म वर्गीकार आकृति का है जिसका पाश्च 900+900 मिलीमीटर है । यह 13 मिलीमीटर ऊंचाई की 6 खंडों का प्रकाश उत्सर्जन डायोड अंकीय संप्रदर्श तोल परिणाम उपदर्शित करता है । इस उपकरण में व्यकलनात्मक प्रतिधारण टेयर प्रभाव 100 प्रतिशत है । यह उपकरण 250 वोल्ट, 50 हर्ट्ज के प्रत्यावर्ती विद्युत प्रदाय पर प्रचालित होता है ।

आगे, केन्द्रीय सरकार, उक्त धारा की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि माडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत के अनुसार और उसी सामग्री से, जिससे अनुमोदित माडल का विनिर्माण किया गया है विनिर्मित 100 किलोग्राम/20 ग्राम या 50 ग्राम, 200 किलोग्राम/50 ग्राम, 300 किलोग्राम/100 ग्राम, 500 किलोग्राम/200 ग्राम, 1000 किलोग्राम/500 ग्राम, 2000 किलोग्राम/500 ग्राम, 3000 किलोग्राम/1 किलोग्राम की अधिकतम क्षमता वाले समरूप बैक, यथार्थता और उसी सिरीज के कार्यकरण वाले तोलन उपकरण भी है ।

[फा०सं० डब्ल्यू० एम० 21(17)/90]

राजीव श्रीवास्तव, संयुक्त सचिव

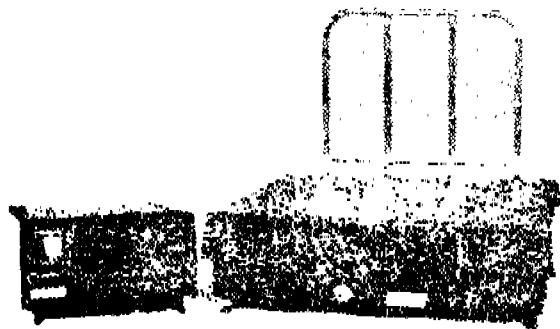
MINISTRY OF CIVIL SUPPLIES, CONSUMER
AFFAIRS AND PUBLIC DISTRIBUTION

New Delhi, the 7th March, 1997

S.O. 746.—Whereas the Central Government after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976), and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the Act, the Central Government hereby publishes the certificate of approval of the Model of a fully electronic platform weighing machine of class III Accuracy (medium accuracy) of type 'CTH' series and with the brand name 'Avery' (hereinafter referred to as the Model) manufactured by M/s. Avery India Ltd., 50-54, Sector 25, Ballabgarh-121 004, and which is assigned the approval mark IND/09/95/35:

* The Model (see figure) is a medium accuracy (accuracy class III) platform weighing machine with a maximum capacity of 1000 kg. and minimum capacity of 10 kg. The verification scale interval (e) is 500 g. The LED digital display of 6 segments of 13 millimetres height indicates the weighing result. The instrument has 100% subtractive tare effect. The load receiving platform is of square shape of sides 900×900 millimetres. The instrument operates on 250 volts 50 herz alternate power supply.



(figure)

Further, in exercise of the powers conferred by sub-section (12) of the said section the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing

instrument of similar make, accuracy and performance of the same series with maximum capacity of 100 kg./20 g. or 50 g., 200 kg./50 g., 300 kg./100 g., 500 kg./200 g., 1000 kg./500 g., 2000 kg./500 g. and 3000 kg./1 kg. manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved Model has been manufactured. has been manufactured.

[F. No. WM-21 (17)/90]
RAJIV SRIVASTAVA, Jt. Secy.

संसाधन विकास मंत्रालय

(शिक्षा विभाग)

नई दिल्ली, 1 जनवरी, 1997

का० आ० 747.—अखिल भारतीय तकनीकी शिक्षा परिषद् अधिनियम, 1987 (1987 का 52) की धारा 3 खण्ड (ज) की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री प्रभाकर बी० कोरे, जो राज्य सभा की सदस्यता से मेवानिवृत्त हो गए हैं, के स्थान पर श्री त्रिलोकी नाथ चतुर्वेदी, संसद सदस्य, राज्य सभा को अ० भा० त० शि० प० में एक सदस्य के रूप में इसकी वर्तमान अवधि की शेष अवधि के लिये, अर्थात् 30 मार्च, 1997 तक एतद्वारा नियुक्त करती है।

[सं० एफ० 1-32/96-टी०एम II]

डा० एस० डी० आवाले, संयुक्त शिक्षा सलाहकार
(तक०)

MINISTRY OF HUMAN RESOURCE
DEVELOPMENT

(Department of Education)

New Delhi, the 1st January, 1997.

S.O. 747.—In exercise of the powers conferred by Sub-Section (4) of Section 3, Clause (j) of the All India Council for Technical Education Act, 1987 (52 of 1987), the Central Government hereby appoints Shri Triloki Nath Chaturvedi, Member of Parliament, Rajya Sabha, as a member on the AICTE for the remaining period of its current term i.e. till 30th March, 1997 in place of Shri Prabhakar B. Kore who has retired from membership of Rajya Sabha.

[No. F. 1-32/96-TS, II]

Dr. S. D. AWALE, Jt. Educational Adviser (T)

कोयला मंत्रालय

नई दिल्ली, 27 फरवरी, 1997

का०आ०. 748 :—केन्द्रीय सरकार को यह प्रतीत होता है कि इसमें उपावद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है,

अतः अब, केन्द्रीय सरकार कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है (धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उस क्षेत्र में कोयले का पूर्ववर्णन करने के अपने आशय की सूचना देती है,

इस अधिसूचना के अंतर्गत आने वाले रेखांक सं० एस०ई०सी०एल०/बी०एस०पी० (प्लानिंग)लैंड/177 तारीख 20 नवम्बर, 1996 का निरीक्षण साउथ ईस्टर्न कोलफील्ड्स लिमिटेड राजस्व अनुभाग, सीपत रोड, बिलासपुर-495001 के कार्यालय में या कलक्टर, मरगुजा (मध्य प्रदेश) कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है।

इस अधिसूचना के अंतर्गत आने वाली भूमि में, हितवद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चाटों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर भारत साधक अधिकारी/विभागाध्यक्ष (राजस्व) साउथ ईस्टर्न कोलफील्ड्स लिमिटेड, सीपत रोड, बिलासपुर-495001 (म०प्र०) को भेजेंगे।

कटकना कोयलरी (पहला विस्तार)

बिर्नि मिली कोलफील्ड

बैकठपुर क्षेत्र

जिला-मरगुजा (मध्य प्रदेश)

रेखांक सं० : एस०ई०सी०एल०/बी०एस०पी० (प्लानिंग)लैंड/
177, तारीख 20 नवम्बर, 1996
(पूर्वक्षण के लिए अधिसूचित भूमि दर्शाते हुए)

वन भूमि

क्रम सं०	वन कम्पार्टमेंट सं०	ग्रैंज	डिवीजन	क्षेत्र, हेक्टर में टिप्पणी
1. 213		मुरजपुर	दक्षिण मरगुजा	16.55 भाग
2. 214		मुरजपुर	दक्षिण मरगुजा	75.02 भाग
3. 216		मुरजपुर	दक्षिण मरगुजा	29.15 भाग

योग : 120.72 हेक्टर (लगभग) या 298.30 एकड़ (लगभग)

सीमा वर्णन :—

क-ख-ग : रेखा वन कम्पार्टमेंट सं० 213 में बिन्दु "क" से आरंभ होती है और वन कम्पार्टमेंट सं० 213, 214 और 216 से होकर जाती है तथा बिन्दु "ग" पर मिलती है।

ग-घ-क : रेखा वन कम्पार्टमेंट सं० 216, 214, 213 से होकर जाती है और प्रारंभिक बिन्दु "क" पर मिलती है।

[सं० 43015/17/96-एल० डब्ल्यू०]

श्रीमती पी०एल० सीनी, अवर सचिव

MINISTRY OF COAL

New Delhi, the 27th February, 1997

S.O. 748—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan bearing number SECL/BSP/GM(plg) Land/177 dated 20th November, 1996 of the area covered by this notification can be inspected in the Office of the South Eastern Coal fields Limited, Revenue Section, Seepat Road, Bilaspur-495001 or in the Office of the Collector, Surguja (Madhya Pradesh) or in the Office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the land covered by this notification may deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Officer-in-charge/Head of the Department (Revenue), South Eastern Coalfields Limited, Seepat Road, Bilaspur-495001 (Madhya Pradesh) within ninety days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

**KATKONA COLLIERY (1ST EXTENSION)
JHILIMILI COALFIELDS
BAIKUNTHPUR-AREA
DISTRICT—SURGUJA (MADHYA PRADESH)**

Plan No. SECL/BSP/GM(Plg.)/Land/177
Dated 20th November, 1996.
(Showing land notified for prospecting)

FOREST LAND

Sl. No.	Forest Number	Compartment	Range	Division	Area in hectares	Remarks
1	2	3	4	5	6	7
1.	213		Surajpur	South Surguja	16.55	Part
2.	214		Surajpur	South Surguja	75.02	Part
3.	216		Surajpur	South Surguja	29.15	Part

Total ; 120.72 Hectares (Approximately) OR 298.30 Acres (Approximately).

BOUNDARY DESCRIPTION ;

- A—B—C Line starts from point 'A' in Forest Compartment number 213 and passes through compartment number 213, 214 and 216 and meet at point 'C'.
- C—D—A Line passes through forest compartment number 216, 214, 213 and meets at starting point 'A'.

[No. 43015/17/96-LW]
Mrs. P.L. SAINI, Under Secy.

नई दिल्ली, 27 फरवरी, 1997

का०आ० 749 :—केन्द्रीय सरकार को यह प्रतीत होता है कि इसमें उपायुक्त अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है;

अतः, अब, केन्द्रीय सरकार कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पूर्वोक्त करने के अपने आशय की सूचना देती है;

इस अधिसूचना के अंतर्गत आने वाले रेखांक सं० एस ई सी एल/बी एस पो/जी एम (पो एल जी) लैंड/179 तारीख 16 जनवरी, 1997 का निरीक्षण साऊथ ईस्टर्न कोयफील्ड्स लिमिटेड (राजस्व अनुभाग), सीपत रोड, बिलासपुर-495001 के कार्यालय में या कलक्टर गृहडोल (मध्य प्रदेश) के कार्यालय में या कोयला निरीक्षक, 1, कार्डिनल हाउस स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है।

इस अधिसूचना के अंतर्गत आने वाली भूमि में, हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर शार-साध्यक अधिकारी/विभागाध्यक्ष, राजस्व, साऊथ ईस्टर्न कोयफील्ड्स लिमिटेड, सीपत रोड, बिलासपुर को भेजेंगे।

अनुसूची

चंगेरा खंड

सोहागपुर क्षेत्र

जिला शहडोल (मध्य प्रदेश)

रेखांक सं० एम ई ली एल/बीएम पी/जी एम (पी
एल जी) सैण्ड/179
तारीख 16 जनवरी, 1997
(पूर्वक्षेत्र के लिए उपदर्शित भूमि)

क्र० सं०	ग्राम का नाम	पटवारी हल्का सं०	तहसील	जिला	क्षेत्र हेक्टेयर में	टिप्पणियां
1.	चंगेरा	104	सोहागपुर	शहडोल	736.975	पूर्ण
2.	छांटा उर्फ नवाटोला	104	सोहागपुर	शहडोल	457.799	पूर्ण
कुल : 1194.774 हेक्टेयर (लगभग) या 2952.28 एकड़ (लगभग)						

सीमा वर्णन:

- क-ख-ग रेखा सोन नदी के किनारे बिन्दु "क" से आरम्भ होती है और चंगेरा ग्राम की सीमा से पश्चिमी की ओर साथ-साथ जाती है फिर यह चंगेरा ग्राम की उत्तरी सीमा से होकर और बिन्दु "ग" पर मिलती है।
- ग-घ रेखा छांटा उर्फ नवाटोला ग्राम की उत्तरी सीमा के साथ साथ जाती हुई बिन्दु "घ" पर मिलती है।
- घ-क रेखा ग्राम छांटा उर्फ नवाटोला और चंगेरा ग्राम, जो सोन नदी के साथ-साथ है, की दक्षिणी सीमा के साथ-साथ जाती है और आरम्भ बिन्दु "क" पर मिलती है।

[सं० 43015/1/97-एम एम डब्ल्यू]
श्रीमती पी०एल० मैनी, अवर सचिव

New Delhi, the 27th February, 1997

S.O. 749—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas-(Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan number SECL/BSP/GM/PLG/LAND/179 dated the 16th January, 1997 of the area covered by this notification can be inspected in the Office of the South Eastern Coalfields Limited (Revenue Department), Seepat Road, Bilaspur-495001 or in the Office of the Collector, Shahdol (Madhya Pradesh), or in the Office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the land covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of Section 13 of the said Act to the Officer-in-charge/Head of the Department (Revenue), South Eastern Coalfields Limited, Seepat Road, Bilaspur within ninety days from the date of publication of this notification in the Official Gazette.

SCHEDULE

CHANGERA BLOCK
SOHAGPUR AREA
DISTRICT-SHAHDOL (MADHYA PRADESH)

Plan No. ; SECL/BSP/GM(PLG)/Land/179

Dated ; 16th January, 1997.

(showing the land for prospecting)

Sl. No.	Name of Village	Patwari Halka Number	Tahsil	District	Area in hectares	Remarks
1	2	3	4	5	6	7
1.	Changera	104	Sohagpur	Shahdol	736.975	Full
2.	Chhata Alias Navatola	104	Sohagpur	Shahdol	457.799	Full
Total ; 1194.774 Hectares (approximately) 2952.28 Acres (approximately)			OR			

BOUNDARY DESCRIPTION ;

A—B—C	Line starts from point 'A' on the bank of river Son and boundary of Changera village, and passes along the Western then, Northern boundary of Changera village and meets at point 'C'.
C—D	Line passes along the northern boundary of Chhanta Alias Navatola village and meets at point 'D'.
D—A	Line passes along the Southern boundary of Chhanta alias Navatola and Changera village, which is also along the Son river and meets the starting at point 'A'.

[No. 43015/1/97-LSW]

Mrs. P. L. SAINI, Under Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

आदेश

नई दिल्ली, 6 मार्च, 1997

का.आ. 750.—ग्लासगो विश्वविद्यालय (यूनाइटेड किंगडम) द्वारा प्रदान की गई एम बी सी एच बी चिकित्सा अर्हता भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) के प्रयोजन के उक्त अधिनियम की धारा 14 के अधीन एक मान्यता प्राप्त चिकित्सा अर्हता है;

और डॉ. (मुथ्री) थामसन किर्सटीन जिनके पास उक्त अर्हता है, पूर्त कार्य के लिए लेप्रोसी मिशन अस्पताल पुरलिया से संलग्न है।

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 14 की उपधारा (1) के अनुसरण में 30 सितम्बर, 1996 के पश्चात एक वर्ष की अवधि के लिए 30 सितम्बर, 1997 तक या उस अवधि को जिसके दौरान डॉ. (मुथ्री) थामसन किर्सटीन पुरलिया लेप्रोसी होम एवं हॉस्पिटल, पुरलिया, पश्चिमी बंगाल से संलग्न है, इनमें से जो भी अवधि लभ्यता हो, उस अवधि के रूप में विनिर्दिष्ट करती है जिस तक

उक्त डाक्टर का चिकित्सा व्यवसाय उक्त संस्था के पूर्त कार्य के लिए सीमित होगा।

[सं. श्री 11016/3/94 एम ई (यूजी)]

एस के मिश्रा, डेस्क अधिकारी

MINISTRY OF HEALTH AND FAMILY
WELFARE

(Department of Health)

ORDER

New Delhi, the 6th March, 1997.

S.O. 750.—Whereas the medical qualification M. B. Ch. B. granted by University of Glasgow (United Kingdom) is a recognised medical qualification for the purpose of the Indian Medical Council Act, 1956 (102 of 1956) under section 14 of the said Act.

And whereas Dr. (M/s.) Thompson Kirsteen who possesses said qualification is attached to the Leprosy Mission Hospital, Purulia, West Bengal, for charitable work ;

Now, therefore, in pursuance of sub-section (1) of section 14 of the said Act, the Central Government hereby specifies a period of one year beyond 30th September, 1996 upto 30th September, 1997 or a period during which Dr. (M/s.) Thompson Kirsteen is attached to Purulia Leprosy Home and Hospital, Purulia, West Bengal, whichever is shorter as the period to which the medical practice of the said doctor shall be limited for charitable work to the said institution.

[No. V. 11016/3/94-ME (UG)]
S. K. MISHRA, Desk Officer

विद्युत मंत्रालय
नई दिल्ली, 9 जनवरी, 1997

का.आ. 751:—केन्द्रीय सरकार, विद्युत (प्रदाय) अधिनियम, 1948 (1948 का 54) की धारा 29 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के विद्युत मंत्रालय की अधिसूचना सं. का.आ. 1095 तारीख 28 दिसम्बर, 1995 को अधि-ज्ञात करते हुए;

- (i) किसी उत्पादन कंपनी द्वारा उत्पादन केन्द्र के लिए तैयार की गई स्कीम जिसका मक्षम सरकार या सरकारों द्वारा प्रतियोगी बोली की प्रक्रिया के माध्यम से चयन किया गया हो, के संबंध में एक हजार करोड़ रुपए;
- (ii) विद्यमान विद्युत उत्पादन केन्द्रों के नवीकरण और आधुनिकीकरण की स्कीम के संबंध में, पांच करोड़ रुपए और
- (iii) सभी अन्य स्कीमों के संबंध में, एक सौ करोड़ रुपए; पूंजी व्यय की राशि के रूप में नियत करती है:

इससे अधिक राशि के संबंध में स्कीम, प्राधिकरण के समक्ष उसकी सहमति के लिए प्रस्तुत की जाएगी।

[फा सं ए-77/96 (आई पी सी -I)]

प्रदीप बैजल, अपर सचिव

MINISTRY OF POWER

New Delhi, the 9th January, 1997

S.O. 751.—In exercise of the powers conferred by sub-section (1), of section 29 of the Electricity (Supply) Act, 1948 (54 of 1948) and in supersession of the notification of the Government of India in the Ministry of Power number S. O. 1095, dated the 28th December, 1995, the Central Government hereby fixes :—

- (i) in relation to a scheme for generating station prepared by a Generating Company and selected through a process of competitive bidding by the competent Government or Governments, rupees one thousand crores ;
- (ii) in relation to a scheme for renovation and modernisation of existing power generating stations, rupees five hundred crores ; and
- (iii) in relation to all other schemes, rupees one hundred crores.

as the sum of capital expenditure exceeding which the scheme shall be submitted to the Authority for its concurrence.

[F. No. A-77/96-(IPC. I)]
PRADIP BAIJAL, Addl. Secy.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 18 फरवरी, 1997

का आ 752:—चलचित्रकी (प्रमाणन) नियम, 1983 के नियम 7 व 8 के साथ पठित चलचित्रकी अधिनियम, 1952 (1952 का 37) की धारा-5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का उपयोग करते हुए, केन्द्रीय सरकार, केन्द्रीय फिल्म प्रमाणन बोर्ड के हैदराबाद सलाहकार पैनल से श्री पोट्टुरी वेंकटेश्वर राय के त्यागपत्र को तत्काल प्रभाव से स्वीकार करती है।

[फा संख्या: 809/3/93-एफ (सी)भाग]]

आई पी मिश्रा, डेस्क अधिकारी

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 18th February, 1997

S.O. 752.—In exercise of the powers conferred by sub-section (i) of section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules 1983 the Central Government is pleased to accept the resignation of Shri Potturi Venkateswara Rao from the Hyderabad Advisory Panel of CBFC with immediate effect.

[F. No. 809/3/93-F(C)(Pt.)]
I. P. MISHRA, Desk Officer

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 5 मार्च, 1997

का०आ० 753:—यत्. केन्द्रीय सरकार ने गुजरात राज्य में उम्भरगट से ओ०एन०जी०सी० टर्मिनल हजीरा, सुरत, तक पाइप लाइन बिछाने के लिये पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) अधीन, भारत के राजपत्र भाग II खंड 3 उपखंड (2), हिन्दी पाठ पृष्ठ सं० 1712 पर अधिसूचना सं० ओ-12016(1)/94 ओ०एन०जी०डी०ओ० 4 का का०आ० 1272 तारीख 28 अप्रैल, 1995 और प्रकाशित तारीख 13 मई 1995 द्वारा उक्त अधिसूचना में अर्जित भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की सूचना दी थी ;

और केन्द्रीय सरकार की जानकारी में यह लाया गया है कि उक्त पाइपलाइनों के अलाइनमेंट में बदलाव आने की वजह से एन०एन०जी०सी० अधिनियम के अनुसार उक्त अधिसूचना में सुधार करना जरूरी है ;

अतः अब, उक्त अधिनियम की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये, केन्द्रीय सरकार उसमें उपयोग का अधिकार का अर्जन करने का अपना आशय घोषित करती है ;

बगलें की, जैसी भूमि में जिनके बाबत उपरोक्त सुधार जारी किया गया है, हिन संबंध कोई व्यक्ति उस तारीख से जिसको इस अधिसूचना की प्रतिका साधारण जनता को उपलब्ध की जाती है और इक्कीस (21) दिन के भीतर उक्त अधिनियम 5 की उपधारा (1) के निबन्धनों के अनुसार उक्त भूमि के शीर्ष या किसी भाग या ऐसी भूमि में या उस पर उपयोग के अधिकार को अर्जित किये जाने के सम्बन्ध में आक्षेप, सक्षम प्राधिकारी, सुरत एवं बलसाड जिला, गुजरात राज्य, तेल और प्राकृतिक गैस कार्पोरेशन लि० हजीरा प्रोजेक्ट, ई-2, मजदा चेम्बर, रांदेर रोड, सुरत को कर सकेगा ।

और जैसा आदेश करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विश्व व्यवसायी की मार्फत ।

अनुसूची

राज्य—गुजरात,		जिला—सुरत,				तालुका—चोरासी		
		पड़िये				के बजाय/के अलावा		
गांव	सर्वे नं०	हे०	आरे०	प्रतिआरे	सर्वे नं०	हे०	आरे०	प्रतिआरे
आभवा	55	0	05	67	168/1	0	12	49
	57	0	12	60	168/2	0	01	50
	127/3	0	13	86				
	249	0	00	90				
	498	0	24	30				
	168/1	0	12	49				
	168/2	0	01	50				

[सं०-12016/4(1)94-ओ०एन०जी०डी०ओ०-4]

एन० मार्टिन, डैस्क अधिकारी

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 5th March, 1997.

S.O. 753.—Whereas by the notification No. O-12016(1)/94-ONG/DO IV of Government of India in the Ministry of Petroleum and Natural Gas vide S.O. 1272 Dated 28th April, 1995 published in the Gazette of India Part II, Section 3, Sub-Section (ii) Dated 13th May 1995 at page No. 1712, the Central Government gave a notice under Sub-Section (1) of Section-3 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) of its intention to acquire the right of user in the lands specified to the schedule appended to that Notification for the transport of Petroleum from Umbharat to O.N.G.C. Terminal, Hazira in Gujarat State.

And whereas it has been brought to the notice of the Central Government that due to the change in the all alignment of the pipeline, the schedule appended to the said Notification needs to be amended as per the schedule annexed hereto

Now, therefore, in exercise of the power conferred by sub section (1) of Section 3 of the said Act, the Central Government hereby declare its intention to acquire the Right of user therein :

Provided that any person interested in any land in respect of which the above amendment has been issued, may send within 21 days from the date of this notification, objection to the acquisition of right of user in the whole or any part of the said land or any right in or over such land in terms of Sub-section (1) of Section 5 of the said Act to the competent Authority for Surat and Valsad Districts in Gujarat State, Oil and Natural Gas Corporation Limited, Hazira Project, E-2, Mazda Chambers, Rander Road, Surat.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State : Gujarat		District : Surat			Taluka : Chorasi			
		READ			INSTEAD OF			
Village	Survey No.	H.	Acre.	P. Acre.	Survey No.	H.	Acre.	P. Acre
ABHAVA	55	0	05	67	168/1	0	12	49
	57	0	12	60	168/2	0	01	50
	127/3	0	13	86				
	249	0	00	90				
	498	0	24	30				
	168/1	0	12	49				
	168/2	0	01	50				

No. O-12016/4(i)/94-ONG-D/4]

M. MARTIN, Desk Officer

नई दिल्ली, 11 मार्च, 1997

का.आ. - 754 ——— पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) की अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 2284 तारीख 22-7-96 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन बिछाने के लिये अर्जित करने का आशय घोषित किया था ;

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ;

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ;

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार निदेश देती है कि उक्त भूमियों में अधिकार भारत सरकार में निहित होने के बजाय गैस अथॉरिटी आफ इंडिया लिमिटेड में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

गैस पाइप लाइन प्रोजेक्ट

लिगाना ई.पी. एम से बेन्नार सिरेमिक्स

परिच्छेद (1) विज्ञप्ति

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे/एकड़ में)	विवरण
कृष्णा	मुदनेपल्लि	चिगुरुकोटा	371-भाग 367-1 भाग	0.0200 0.2650	जी पी
				0.2850	ओभारएसी 0.70 कालम

[सं एल-14016/6/96-जी पी)]

अर्धेन्दु सेन, निदेशक

New Delhi, the 11th March, 1997

S.O. 754 .—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 2284 dated 22-7-96 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (6) of the Section 5 of the said Act, the Central Government thereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE

Lingaleps—Vendor Ceramics Gas Pipe Line Projects

District	Mandal	Village	Survey Nos.	Area (In Hect./ Acres)	Remarks
1	2	3	4	5	6
Krishna	Mudinepalli	Chigurukota	371—Part 367-1 Part	0.0200 0.2650	G.P.
			Total	0.2850	ORACO-70 Cubs.

[No.L-14016/6/96-GP]

ARDHENDU SEN, Director

नई दिल्ली, 11 मार्च, 1997

का.आ.—755—पैट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पैट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2283 तारीख 22-7-96 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइपलाइन बिछाने के लिये अर्जित करने का आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार भारत सरकार में निहित होने के बजाय गैस अयारिटी का आफ इंडिया लिमिटेड में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

लिगला ई.पी. एस से वेन्लार सिरेमिक्स गैस पाइप लाईन प्रोजेक्ट

जनपद	तहसील	ग्राम	सर्वे नं.	क्षेत्रफल (हेक्टे/एकड़ में)	विवरण	
कुष्णा	मंडवल्लि	पेरिकिगुडेम	887—	भाग	0.0300	जी पी
			884—4	भाग	0.0850	
			884 10	„	0.1900	
			878—2ए	भाग	0.0550	
			878—1 सी	भाग	0.2200	
			878—1 डी	भाग	0.0300	
			878—1 ई	„	0.3725	
			876—	„	0.0300	जी पी
			870—4	„	0.0750	
			870—5	„	0.0600	
			870—6	„	0.1550	
			871—2	„	0.0050	
			871—3	„	0.0150	
			871—12	„	0.0400	
			871—14	„	0.0750	
			856—2	„	0.1000	
			„ —3	„	0.1150	
			855—	„	0.0450	जी पी
			852—1	„	0.0950	
			„ —2	„	0.1250	

1	2	3	4	5	6
कृष्णा	मंडवलि	पेरिकगुडेम	849-6	0.0100	
			850-1	0.0900	
			„ -2	0.0450	
			„ -3	0.0400	
			836-1ए1	0.1800	
			„ -6	0.0800	
			842-3	0.4000	
			841-5	0.0650	
			837-4	0.0400	
			„ -5	0.1000	
			„ -6	0.0450	
			„ -70	0.0500	
				2-7025	
			838-2-भाग	0.1750	
			838-3-भाग	0.0100	
			839-3-भाग	0.0400	जि पि
			825-1बी-भाग	0.0100	
			835-2-भाग	0.1200	
			825-3-भाग	0.0050	
			826-भाग	0.0900	
			822-1ए-भाग	0.0300	जि पि
			822-1बी-भाग	0.1000	
			807-भाग	0.1400	जि पि
			812-9-भाग	0.0300	
			812-2-भाग	0.0250	
			812-3-भाग	0.0600	
			809-1-भाग	0.1000	
			809-2-भाग	0.1250	
			810-3-भाग	0.0050	
			808-भाग	0.0450	जि पि
कृष्णा	मंडवलि	पेरिकगुडेम	608-भाग	0.3850	
			607-भाग	0.1725	
			605-भाग	0.0450	जि पि
			595-1-भाग	0.1600	
				1.8725	
				2.7025	
				4.5750	

[सं. एल-14016/6/96-जी पी]

अर्घेन्दु सेन, निदेशक

New Delhi, the 11th March, 1997

S.O. 755.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas, S.O. no. 2283 dated 22-7-96 under sub-section (I) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (I) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire

the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline ;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE—For Section B(1) Notification
Lingala Eps—Vennar Ceramics Gas Pipe Line Project

District	Mandal	Village	Survey Nos.	Area (In Hect./ Acres)	Remarks
1	2	3	4	5	6
Krishna	Mandavalli	Periki Gudeh	887— Part	0.0300	G.P
			884— 4 Part	0.0850	
			884— 10 "	0.1900	
			878— 2A "	0.0550	GP
			" — 1C "	0.2200	
			" — 1D "	0.0300	
			" — 1E "	0.3725	
			876— "	0.0300	
			870— 4 "	0.0750	
			" — 5 "	0.0600	
			" — 6 "	0.1550	
			871— 2 "	0.0050	
			" — 3 "	0.0150	
			" — 12 "	0.0400	
			" — 14 "	0.0750	
			856— 2 "	0.1000	GP
			" — 3 "	0.1150	
			855— "	0.0450	
			852— 1 "	0.0950	
			" — 2 "	0.1250	
			849— 6 "	0.0100	
			850— 1 "	0.0900	
			" — 2 "	0.0450	
			" — 3 "	0.0400	
			836— 1A1 "	0.1800	
			" — 6 "	0.0800	
			842— 3 "	0.0400	
			841— 5 "	0.0650	
			837— 4 "	0.0400	
			" — 5 "	0.1000	
			" — 6 "	0.0450	
			" — 7 "	0.0500	
Page Total			2.7025		

1.	2	3	4	5
			838— 2 Part	0.1750
			.. — 3 ..	0.0100
			839 ..	0.0400 GP
			825— 1B ..	0.0100
			.. — 2 ..	0.1200
			.. — 3 ..	0.0050
			826— ..	0.0900 GP
			822—JA ..	0.0300 GP
			.. — 1B ..	0.1000
			807— ..	0.1400 GP
			812— 9 ..	0.0300
			.. — 2 ..	0.0250
			.. — 3 ..	0.0600
			809— 1 ..	0.1000
			.. — 2 ..	0.1250
			810— 3 ..	0.0050
			808— ..	0.0450 GP
			608— 1 ..	0.3850
			607— ..	0.1725
			605— ..	0.0450 GP
			595— 1 ..	0.1600
			2nd Page Total	1.8725
			1st Page Total	2.7025
			Grand Total	4.5750 ORAC 11-29 cents.

[No. L-14016/6/96-GP]
ARDHENDU SEN, Director

नई दिल्ली, 11 मार्च, 1997

का. आ. 756:—पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 के उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. आ. 3457 तारीख 12-12-96 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन बिछाने के लिए अर्जित करने का आग्रह घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकारी पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार भारत सरकार में निहित होने के बजाय गैस अपॉरिटी ऑफ इंडिया लिमिटेड में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अदि. अनुसूची

बम्बेड़ा—आगरा—फिरोजाबाद स्पर गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	मौजा	गाटा संख्या	अर्जित क्षेत्र हेक्टेअर	अन्य विवरण
फिरोजाबाद	फिरोजाबाद	जर्गौली कलां		180	0.4420	
				337	0.1166	
				334	0.2080	
				349	0.0480	
				341	0.0220	
				343	0.2440	
				345	0.0324	
				378	0.1490	
				377	0.1800	
				374	0.0252	
				480	0.5052	
				478	0.0032	
				479	0.4492	
				469	0.0861	
				470	0.0792	
				471	0.0864	
				468	0.0144	
					2.6912	हेक्टेअर
					6.6499	एकड़
			10 बीघा	12 बिश्वा	15 बिश्वांसी	

[सं. एल.—14016/10/96— जी पी]

अर्घेन्दु सेन, निदेशक

New Delhi, the 11th March, 1997

S.O. 756.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas, S.O. No. 3457, dated 12-12-96 under sub-section (I) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline ;

And whereas the Competent Authority has under Sub-Section (I) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire

the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline ;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

CASE SCHEDULE

BAJHERA -AGRA -FIROZABAD SPUP GAS PIPE LINE PROJECT

District	Tahsil	Pargana	Village	Plot No-	Acquired Area in Bigha/Acres/Hectare	Remarks
1	2	3	4	5	6	7
Firozabad		Firozabad	Jarauli Kalan	180	0.4420	
				337	0.1166	
				334	0.2080	
				349	1.0480	
				341	0.2200	
				343	0.2440	
				345	0.0324	
				378	0.1490	
				377	0.1800	
				374	0.0252	
				480	0.5052	
				478	0.0032	
				479	0.4492	
				469	0.0864	
				470	0.0792	
				471	0.0864	
				468	0.0141	
					2.6912 Hectare	
					6.6499 Acres	
					10 Bigha 12 Biswa 15 Biswansi	

[No.—14016/10/96-GP]
ARDHENDU SEN, Director

नई दिल्ली, 11 मार्च, 1997

का. आ. 757:—पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. आ. 3458 तारीख 12-12-96 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन बिछाने के लिए अर्जित करने का आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए भारत सरकार एतद्-द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप-लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार भारत सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

पाइपलाइन परियोजना : कोनावन से मेखिया पावर प्लांट

जिला	तहसील	गांव	प्लांट संख्या	क्षेत्रफल (एकड़)	टिप्पणी
पश्चिम त्रिपुरा	देबीपुर	कोनावन	1681	0.18	
			1683	0.09	
			1687	0.04	रोड (पी डब्ल्यू. डी.)
			1688	0.04	रोड
			1689	0.03	रोड (पी. डब्ल्यू. डी)
			1691	0.20	
			1693	0.40	
			1693/2580	0.06	
			1832	0.01	
			1833	0.06	
			1836	0.10	
			1835	0.03	
			1844	0.12	
			1843	0.04	
			2271	0.04	
			1863	0.03	
			1864	0.30	
			1898	0.01	
			1897	0.04	
			1896	0.02	
			1895	0.12	
			1899	0.02	
			1892	0.30	
			2009	0.21	
			1891	0.03	
			2010	0.03	
			0032	0.01	
			2024	0.08	
			2023	0.16	
			2022	0.10	
			2017	0.15	
			1593	0.04	
			2246	0.10	
			1676	0.12	

[सं. ग.ल.-14016/14/96-जी पी]

अर्घेन्दु सेन, निदेशक

New Delhi, the 11th March, 1997

S.O. 757.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 3458 Dated 12-12-1996 under sub-section (1) of section 3 of the petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after Considering the said report, decided to acquire

the right of user in the lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule to this appended notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE

PIPELINE PROJECT : KONBAN TO ROKHIA POWER PLANT

District	Tehsil	Village	Plot Number	Area (In Acres)	Remarks
1	2	3	4	5	6
West Tripura	Debipur	Konaban	1681	0.18	
			1683	0.09	
			1687	0.04	PWD ROAD
			1688	0.04	ROAD
			1689	0.03	PWD ROAD
			1691	0.20	
			1693	0.40	
			1693/2580	0.06	
			1832	0.01	
			1833	0.06	
			1836	0.10	
			1835	0.03	
			1844	0.12	
			1843	0.04	
			2271	0.04	
			1863	0.03	
			1864	0.30	
			1898	0.01	
			1897	0.04	
			1896	0.02	
			1895	0.12	
			1899	0.02	
			1892	0.30	
			2009	0.21	
			1891	0.03	
			2010	0.03	
			2032	0.01	

1	2	3	4	5	6
			2024	0.08	
			2023	0.16	
			2022	0.10	
			2017	0.15	
			1593	0.04	
			2246	0.10	
			1676	0.12	

[No. L-14016/14/96-GP]
ARDHENDU SEN, Director

नई दिल्ली, 11 मार्च, 1997

का. आ. 758.—पैट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 के उप-धारा (1) के अधीन भारत सरकार के पैट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 3459 तारीख 12-12-96 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन बिछाने के लिए अर्जित करने का आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार भारत सरकार में निहित होने के बजाय गैस अथारिटी ऑफ इंडिया लिमिटेड में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

पाइप लाइन परियोजना : कोना वन में रोखिया पावर प्लान्ट

जिला	तहसील	गांव	प्लॉट संख्या	क्षेत्रफल (एकड़)	टिप्पणी
(1)	(2)	(3)	(4)	(5)	(6)
पश्चिम त्रिपुरा	मधुपुर	केवाढेपा	4692	0.30	
			4693	0.09	
			4694	0.12	
			4647	0.08	
			2433	0.20	
			2443	0.12	
			2442	0.32	
			2441	0.12	

1	2	3	4	5	6
			2439	0.01	
			2440	0.01	
			2471	0.05	
पश्चिम त्रिपुरा	मधुपुर	कैपाटेपा	2489	0.03	पथ (रास्ता)
			2536	0.10	
			2535	0.08	
			2534	0.20	
			2543	0.05	
			2544	0.05	
			2532	0.08	
			2529	0.14	
			2722	0.04	
			2548	0.01	
			2549	0.09	
			2550	0.10	
			2720	0.07	
			2551	0.04	
			2718	0.07	
			4687	0.01	
			2716	0.08	
			4862	0.10	
			2715	0.01	
			2713	0.14	
			2712	0.07	
			2583	0.06	रोड (पी डब्ल्यू डी)
			2711	0.01	
			4863	0.06	
			2418	0.15	रोड
			2584	0.06	रोड (पी डब्ल्यू डी)
			2590	0.07	
			2592	0.07	
			4750	0.01	
			2593	0.05	
			2594	0.05	
			2603	0.05	
			2595	0.01	
			2595/5008	0.20	
			2604	0.07	
			2605	0.07	
			2609	0.03	
			2610	0.04	
			2611	0.08	
			2612	0.10	
			2613	0.08	
			2624	0.05	
			2614	0.05	
			2615	0.08	
			2616	0.08	पथा (रास्ता)
			2617	0.04	
			2678	0.10	

1	2	3	4	5	6
पश्चिम त्रिपुरा	मधुपुर	कैयादेपा	2679	0.10	
			2680	0.07	
			2681	0.05	
			4860	0.08	
			2683	0.11	
			2684	0.12	
			2691	0.08	
			2693	0.18	
			2670	0.02	पथ (राम्ता)
			2998	0.02	
			2999	0.01	
			2997	0.03	रोड (पी डब्ल्यू डी)
			2996	0.12	रोड (पी डब्ल्यू डी)
			2995	0.01	
			2994	0.08	
			2993	0.10	
			2992	0.18	
			2989	0.08	
			2988	0.08	
			3034	0.14	
			3035	0.05	
			3033	0.01	
			3032	0.16	
			2132	0.12	
			2131	0.04	
			2130	0.18	
			2129	0.03	
			2128	0.14	
			2127	0.10	
			2140	0.14	
			2141	0.03	
			2142	0.04	
			2143	0.01	
			2010	0.06	
			2011	0.42	
			3178	0.12	
			3177	0.20	
			4857	0.05	
			3176	0.03	
			4858	0.14	
			3175	0.22	
			3241	0.07	
			3174	0.08	
			3173	0.03	
			3172	0.14	
			4618	0.05	

1	2	3	4	5	6
पश्चिम त्रिपुरा	मधुपुर	कैयाडेपा	3242	0.20	
			3283	0.04	
			7284	0.04	
			3282	0.06	
			3281	0.18	
			3277	0.06	
			3292	0.12	
			4673	0.06	
			3293	0.20	
			3290	0.14	
			3310	0.01	
			3311	0.24	
			3315	0.03	
			3314	0.03	
			3313	0.02	
			3317	0.40	
			3321	0.02	
			3323	0.02	
			3324	0.16	
			3326	0.05	
			3325	0.04	
			4656	0.06	
			4657	0.14	
			3383	0.06 रोड	
			3503	0.32	
			3504	0.01	
			3505	0.20	
			3506	0.03	
			3510	0.10	
			3507	0.03	
			3511	0.13	
			3512	0.01	
			3508	0.03	
			3531	0.04	
			3532	0.02	
			3533	0.02	
			3529	0.02	
			4350	0.15	
			4352	0.03	
			4349	0.18	
				0.24	
			4384	0.04	रोड (पी डब्ल्यू डी)
			4375	0.04	रोड
			4374	0.04	
			4336	0.04	रोड (पी डब्ल्यू डी)
			4387	0.28	
			4388	0.12	
			4389	0.03	
			4390	0.14	
			4391	0.01	

1	2	3	4	5	6
पश्चिम सिपूर	मधुपुर	फेयाडेपा	4337	0.03	
			4334	0.02	
			4846	0.01	
			4394	0.07	
			4395	0.10	
			4396	0.08	
			4397	0.10	
			4398	0.04	
			4393	0.01	
			4401	0.12	
			4400	0.04	रोड (पी डब्ल्यू डी)
			4403	0.06	
			4406	0.06	
			4407	0.07	
			4408	0.06	
			4409	0.07	
			4410	0.05	
			4414	0.22	
			4544	0.34	
			4546	0.02	
			4552	0.54	
			4560	0.02	
			4559	0.06	
			4667	0.04	रोड
			4575	0.07	
			4576	0.03	
			4577	0.23	
			4584	0.14	नदी (रिवर)
			4582	0.02	
			4583	0.01	
			4547	0.01	
			3318	0.04	
			3320	0.20	
पश्चिम सिपूरा	मधुपुर	पुराबल राजनगर	174	0.03	
			373	0.04	
			172	0.04	
			171	0.10	
			170	0.06	
			169	0.16	
			168	0.08	
			2744	0.14	
			2743	0.16	
			2742	0.06	
			2741	0.06	
			2740	0.06	
			2697	0.22	

1	2	3	4	5	6
			2696	0.08	
			2690	0.09	
			2687	0.04	
			2683	0.18	
			2682	0.08	
			2681	0.03	
			2666	0.03	
			2665	0.01	
			2664	0.10	
			2662	0.10	
			2659	0.02	
			2660	0.03	
			2661	0.16	
			6384	0.08	
			2651	0.03	
			2482	0.15	
			2483	0.03	
			2481	0.04	
			2480	0.18	
			2479	0.06	
			2478	0.03	
			2476	0.03	
			2477	0.15	
			2496	0.05	
			2492	0.04	
			2491	0.04	
			2499	0.02	
			2498	0.02	
			2493	0.02	
			2495	0.03	
			2471	0.90	
			2470	0.03	
			2472	0.08	
			6479	0.14	
			2466	0.03	
			2463	0.10	
			2462	0.14	
			2459	0.02	
			2460	0.02	
			2461	0.01	
			2391	0.05	
			2392	0.08	
			2390	0.11	
			2383	0.01	
			2384	0.10	
			2380	0.60	
			2372	0.04	

1	2	3	4	5
			2371	0.06
			4235	0.01
			4236	0.10
			4234	0.11
			4225	0.30
			4249	0.06
			4244	0.01
			4447	0.02
			4445	0.03
			4252	0.04
			4251	0.04
			4250	0.05
			4444	0.12
			4443	0.10
			4442	0.08
			4449	0.12
			4257	0.08
			4384	0.10
			4385	0.14
			4386	0.04
			4382	0.11
			4390	0.10
			4377	0.10
			4378	0.04
			4374	0.18
			4367	0.18
			4362	0.05
			4360	0.06
			4361	0.20
			4341	0.21
			4340	0.11
			4339	0.04
			4328	0.04 रोड
			4337	0.04 रोड (पी डब्ल्यू जी)
			4425	0.04 रोड
			4425	0.04
			4336	0.24
			4334	0.06
			4333	0.30

[सं. एल-14016/14/96-जी पी]

अश्वमेध सेन, निदेशक

New Delhi, the 11th March, 1997

S.O. 758.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 3459 Dated 12-12-96 under sub-section (1) of section 3 of the petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire

the right of user in the lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule to this appended notification hereby acquired for laying pipeline.

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE

PIPELINE PROJECT : KONABAN TO ROKHIA POWER PLANT

District	Tehsil	Village	Plot Number	Area (In Acres)	Remarks
1	2	3	4	5	6
West Tripura	Madhupur	Kaiyadhepa	4692	0.30	
			4693	0.09	
			4694	0.12	
			4647	0.08	
			2433	0.20	
			2443	0.12	
			2442	0.32	
			2441	0.12	
			2439	0.01	
			2440	0.01	
			2471	0.05	
			2489	0.03	Path
			2536	0.10	
			2535	0.08	
			2534	0.20	
			2543	0.05	
			2544	0.05	
			2532	0.08	
			2529	0.14	
			2722	0.04	
			2548	0.01	
			2549	0.09	
			2550	0.10	
			2720	0.07	
			2551	0.04	
			2718	0.07	
			4687	0.01	
			2716	0.08	
			4862	0.10	
			2715	0.01	
			2713	0.14	

1	2	3	4	5	6
West Tripura	Madhupur	Kaiyadhepa	2712	0.07	
			2583	0.06	PWD Road
			2711	0.01	
			4863	0.06	
			2418	0.15	Road
			2584	0.06	PWD Road
			2590	0.07	
			2592	0.07	
			4750	0.01	
			2593	0.05	
			2594	0.05	
			2603	0.05	
			2595	0.01	
			2595/5008	0.20	
			2604	0.07	
			2605	0.07	
			2609	0.03	
			2610	0.04	
			2611	0.08	
			2612	0.10	
			2613	0.08	
			2624	0.05	
			2614	0.05	
			2615	0.08	
			2616	0.08	
			2617	0.04	Path
			2678	0.10	
			2679	0.10	
			2680	0.07	
			2681	0.05	
			4860	0.08	
			2683	0.11	
			2684	0.12	
			2691	0.08	
			2693	0.18	
			2670	0.02	Path
			2998	0.02	
			2999	0.01	
			2997	0.03	PWD Road
			2996	0.12	PWD Road
			2995	0.01	
			2994	0.08	
			2993	0.10	
			2992	0.18	
			2989	0.08	
			2988	0.08	
			3034	0.14	
			3035	0.05	
			3033	0.01	
			3032	0.16	
			2132	0.12	
			2131	0.04	
			2130	0.18	
			2129	0.03	
			2128	0.14	
			2127	04.10	
			2140	0.14	

1	2	3	4	5	6
West Tripura	Madhupur	Kaiyadhepa	2141	0.03	
			2142	0.04	
			2143	0.01	
			2010	0.06	
			2011	0.42	
			3178	0.12	
			3177	0.20	
			4857	0.05	
			3176	0.03	
			4858	0.14	
			3175	0.22	
			3241	0.07	
			3174	0.08	
			3173	0.03	
			3172	0.14	
			4618	0.05	
			3242	0.20	
			3283	0.04	
			3284	0.04	
			3282	0.06	
			3281	0.18	
			3277	0.06	
			3292	0.12	
			4673	0.06	
			3291	0.20	
			3290	0.14	
			3310	0.01	
			3311	0.24	
			3315	0.03	
			3314	0.03	
			3313	0.02	
			3317	0.40	
			3321	0.02	
			3323	0.02	
			3324	0.16	
			3326	0.05	
			3325	0.04	
			4656	0.06	
			4657	0.14	
			3383	0.06	Road
			3503	0.32	
			3504	0.01	
			3505	0.20	
			3506	0.03	
			3510	0.10	
			3507	0.03	
			3511	0.12	
			3512	0.03	
			3508	0.03	
			3531	0.04	
			3532	0.02	
			3533	0.02	
			3529	0.02	
			4350	0.15	

1	2	3	4	5	6
West Tripura	Madhupur	Kaiyadhepa	4352	0.03	
			4349	0.18	
			4384	0.24	
			4375	0.04	PWD Road
			4374	0.04	Road
			4336	0.04	PWD Road
			4387	0.28	
			4388	0.12	
			4389	0.03	
			4390	0.14	
			4391	0.01	
			4337	0.03	
			4334	0.02	
			4846	0.01	
			4394	0.07	
			4395	0.10	
			4396	0.08	
			4397	0.10	
			4398	0.04	
			4393	0.01	
			4401	0.12	
			4405	0.04	PWD Road
			4403	0.06	
			4406	0.06	
			4407	0.07	
			4408	0.06	
			4409	0.07	
			4410	0.05	
			4414	0.22	
			4544	0.34	
			4546	0.02	
			4552	0.54	
			4560	0.02	
			4559	0.06	
			4567	0.04	Road
			4575	0.07	
			4576	0.03	
			4577	0.23	
			4584	0.14	River
			4582	0.02	
			4583	0.01	
			4547	0.01	
			3318	0.04	
			3320	0.20	
West Tripura	Madhupur	Purathal Rajnagar	174	0.03	
			173	0.04	
			172	0.04	
			171	0.10	
			170	0.06	
			169	0.16	
			168	0.08	
			2744	0.14	
			2743	0.16	
			2742	0.06	

1	2	3	4	5	6
West Tripura	Madhupur	Purathal Rajnagar	2741	0.06	
			2740	0.06	
			2697	0.22	
			2696	0.08	
			2690	0.09	
			2687	0.04	
			2683	0.18	
			2682	0.08	
			2681	0.03	
			2666	0.03	
			2665	0.01	
			2664	0.10	
			2662	0.10	
			2659	0.02	
			2660	0.03	
			2661	0.16	
			6384	0.08	
			2651	0.03	
			2482	0.15	
			2483	0.03	
			2481	0.04	
			2480	0.18	
			2479	0.06	
			2478	0.03	
			2476	0.03	
			2477	0.15	
			2496	0.05	
			2492	0.04	
			2491	0.04	
			2499	0.02	
			2498	0.02	
			2493	0.02	
			2495	0.03	
			2471	0.90	
			2470	0.03	
			2472	0.08	
			6479	0.14	
			2466	0.03	
			2463	0.10	
			2462	0.14	
			2459	0.02	
			2460	0.02	
			2461	0.01	
			2391	0.05	
			2392	0.08	
			2390	0.11	
			2383	0.01	
			2384	0.10	
			2380	0.60	
			2372	0.04	
			2371	0.06	
			4235	0.01	
			4326	0.10	

1	2	3	4	5	6
West Tripura	Madhupur	Purathal Rajnagar	4234	0.11	
			4245	0.30	
			4249	0.06	
			4244	0.01	
			4447	0.02	
			4445	0.03	
			4252	0.04	
			4251	0.04	
			4250	0.05	
			4444	0.12	
			4443	0.10	
			4442	0.08	
			4449	0.12	
			4257	0.08	
			4384	0.10	
			4385	0.14	
			4386	0.04	
			4382	0.11	
			4390	0.10	
			4377	0.10	
			4378	0.04	
			4374	0.18	
			4367	0.18	
			4362	0.05	
			4360	0.06	
			4361	0.20	
			4341	0.21	
			4340	0.11	
			4339	0.04	
			4328	0.04	Road
			4337	0.04	PWD Road
			4425	0.04	Road
			4336	0.24	
			4334	0.06	
			4333	0.30	

[No. L-14016/14/96-GP]

ARDHENDU SEN, Director

नई दिल्ली, 11 मार्च, 1997

का.आ. 759 — पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम 1962 1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 3511 तारीख 19-12-96 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन बिछाने के लिए अर्जित करने का आणव्य घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट में दे दी है।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार भारत सरकार में निहित होने के बजाय गैस अथाग्विटी आफ इंडिया लिमिटेड में सभी बाधाओं में मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

प्रतिसूची

पाइप लाइन परियोजना : कोनावन से रोखिया पावर प्लांट

जिला	तहसील	गांव	प्लॉट संख्या	क्षेत्रफल (एकड़)	टिप्पणी
(1)	(2)	(3)	(4)	(5)	(6)
पश्चिम त्रिपुरा	बेलुअरचर	बेलुअरचर	2	0.12	
			3	0.04	
			6	0.05	
			10	0.04	
			9	0.04	
			11	0.32	
			2874	0.10	
			29	0.16	
			31	0.10	
			32	0.08	
			33	0.08	
			38	0.34	
			54	0.08	
			53	0.22	
			55	0.03	
			56	0.04	
			57	0.01	
			52	0.01	
			58	0.02	
			227	0.04	
			203	0.04	
			202	0.03	
			204	0.04	
			205	0.10	
			206	0.05	
			207	0.06	
			208	0.01	
			214	0.10	
			215	0.24	
			251	0.05	
			252	0.06	
			253	0.10	
			256	0.04	
			257	0.12	
			2863	0.01	
			272	0.03	
			274	0.24	
			271	0.01	
			273	0.01	
			275	0.02	

1	2	3	4	5	6
पश्चिम त्रिपुरा	वेलुअस्वर	वेलुअस्वर	316	0.05	
			317	0.12	
			318	0.03	
			320	0.08	
			321	0.16	
			394	0.12	
			395	0.10	
			393	0.10	
			392	0.04	
			391	0.14	
			445	0.06	
			443	0.02	
			444	0.30	
			448	0.02	
			450	0.02	
			451	0.18	
			455	0.05	
			456	0.12	
			453	0.01	
			457	0.03	
			470	0.01	
			472	0.06	
			502	0.12	
			508	0.25	
			571	0.04	
			569	0.02	
			2738	0.05	
			570	0.10	
			568	0.02	
			565	0.16	
			564	0.16	
			585	0.08	
			584	0.15	
			555	0.03	
			586	0.18	
			949	0.08	
			948	0.08	
			946	0.11	
			943	0.12	
			941	0.22	
			940	0.06	
			2761	0.10	
			2762	0.06	
			937	0.10	रोड
			938	0.10	रोड (पी डब्ल्यू डी)
			867	0.06	रोड (")
			1284	0.10	

1	2	3	4	5	6
पश्चिम त्रिपुरा	बेलुअरघर	बेलुअरजर	1283	0.14	
			1286	0.01	
			1289	0.16	
			2710	0.12	
			2711	0.01	
			1291	0.12	
			1292	0.26	
			1306	0.01	
			1304	0.08	
			1305	0.10	
			1301	0.08	
			1307	0.24	
			1311	0.08	
			1310	0.02	
			1316	0.10	
			1330	0.08	
			1321	0.28	
			1366	0.06	रोड
			1438	0.30	
			1324	0.20	
			1364	0.04	रोड
			1462	0.30	
			1463	0.02	रोड
			1464	0.48	
			1466	0.01	
			1467	0.24	
			1470	0.14	
			1472	0.40	
			1478	0.24	
			1479	0.01	
			1480	0.14	
			1482	0.05	
			1481	0.02	
			1483	0.10	
			1484	0.12	
			1524	0.12	
			1523	0.08	
			1513	0.13	
			2180	0.04	रोड
			2196	0.18	
			2195	0.10	
			2201	0.04	
			2202	0.05	
			2203	0.18	
			2204	0.02	
			2205	0.14	
			2206	0.05	

1	2	3	4	5	6
पश्चिम त्रिपुरा	बेलुआरचर	बेलुआरचर	2190	0.08	
			2207	0.03	
			2189	0.01	
			2208	0.24	
			2131	0.01	
			2128	0.01	
			2211	0.20	
			2212	0.26	
			2218	0.26	
			2217	0.04	
			2219	0.28	
			2220	0.03	
			2058	0.05	
			2057	0.20	
			2060	0.04	
			2059	0.05	
			2063	0.01	
			2062	0.10	
			2068	0.03	
			2802	0.04	
			2064	0.01	
			2066	0.01	
			2067	0.04	
			2070	0.03	
			2071	0.05	
			2073	0.02	
			2074	0.05	
			2076	0.02	
			2075	0.05	
			2077	0.06	
			2078	0.08	
			1994	0.03	
			1995	0.02	
			1991	0.04	रोड
			1993	0.02	रोड (पी डब्ल्यू डी)
			1990	0.01	रोड (")
			1992	0.02	
			1989	0.05	
			1908	0.05	
			1909	0.02	
			1914	0.01	
			2721	0.22	
			1915	0.02	
			1916	0.02	
			1917	0.16	
			1918	0.01	
			1919	0.10	
			1927	0.03	

1	2	3	4	5	6
			1920	0.12	
			1922	0.10	
			1923	0.12	

[सं. एन-14016/14/96-जी पो]

अर्घेन्दु सेन, निदेशक

New Delhi, the 11th March, 1997

S.O. 759.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 3511 Dated 19-12-96 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire

the right of user in the lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule to this appended notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE

PIPELINE PROJECT : KONABAN TO ROKHIA POWER PLANT

District	Tehsil	Village	Plot Number	Area (In Acres)	Remarks
1	2	3	4	5	6
West Tripura	Veluarchar	Veluarchar	2	0.12	
			3	0.04	
			6	0.05	
			10	0.04	
			9	0.04	
			11	0.32	
			2874	0.10	
			29	0.16	
			31	0.10	
			32	0.08	
			33	0.08	
			38	0.34	
			54	0.08	Road
			53	0.22	
			55	0.03	
			56	0.04	
			57	0.01	
			52	0.01	
			58	0.02	
			227	0.04	Road
			203	0.04	
			202	0.03	
			204	0.04	

1	2	3	4	5	6
West Tripura	Veluarchar	Veluarchar	205	0.10	
			206	0.05	
			207	0.06	
			208	0.01	
			214	0.10	
			215	0.24	
			251	0.05	
			252	0.06	
			253	0.10	
			256	0.04	
			257	0.12	
			2863	0.01	
			272	0.03	
			274	0.24	
			271	0.01	
			273	0.01	
			275	0.02	
			316	0.05	
			317	0.12	
			318	0.03	
			320	0.08	
			321	0.06	
			394	0.12	
			395	0.10	
			393	0.10	
			392	0.04	
			391	0.14	
			445	0.06	
			443	0.02	
			444	0.30	
			448	0.02	
			450	0.02	
			451	0.18	
			455	0.05	
			456	0.12	
			453	0.01	
			457	0.03	
			470	0.01	
			472	0.06	
			502	0.12	
			508	0.25	
			571	0.04	
			569	0.02	
			2738	0.05	
			570	0.10	
			568	0.02	
			565	0.16	
			564	0.16	
			585	0.08	
			584	0.15	
			555	0.03	
			586	0.18	

(1)	(2)	(3)	(4)	(5)	(6)
West Tripura	Veluarchar	Veluarchar	949	0.08	
			948	0.08	
			946	0.11	
			943	0.12	
			941	0.22	
			940	0.06	
			2761	0.10	
			2762	0.06	
			937	0.10	Road
			938	0.10	PWD Road
			867	0.06	PWD Road
			1284	0.10	
			1283	0.14	
			1286	0.01	
			1289	0.16	
			2710	0.12	
			2711	0.01	
			1291	0.12	
			1292	0.26	
			1306	0.01	
			1304	0.08	
			1305	0.10	
			1301	00.8	
			1307	0.24	
			1311	0.08	
			1310	0.02	
			1316	0.10	
			1330	0.08	
			1321	0.28	
			1366	0.06	Road
			1438	0.30	
			1324	0.20	
			1364	0.04	Road
			1462	0.30	
			1463	0.02	Road
			1464	0.48	
			1466	0.01	
			1467	0.24	
			1470	0.14	
			1472	0.40	
			1478	0.24	
			1479	0.01	
			1480	0.14	
			1482	0.05	
			1481	0.02	
			1483	0.10	
			1484	0.12	
			1524	0.12	
			1523	0.08	
			1513	0.13	
			2180	0.04	Road
			2196	0.18	
			2195	0.10	
			2201	0.04	

(1)	(2)	(3)	(4)	(5)	(6)
West Tripura	Veluarchar	Veluarchar	2202	0.05	
			2203	0.18	
			2204	0.02	
			2205	0.14	
			2206	0.05	
			2190	0.08	
			2207	0.03	
			2189	0.01	
			2208	0.24	
			2131	0.01	
			2128	0.01	
			2211	0.20	
			2212	0.26	
			2218	0.26	
			2217	0.04	
			2219	0.28	
			2220	0.03	
			2058	0.05	
			2057	0.20	
			2060	0.04	
			2059	0.05	
			2063	0.01	
			2062	0.10	
			2068	0.03	
			2802	0.04	
			2064	0.01	
			2066	0.01	
			2067	0.04	
			2070	0.03	
			2071	0.05	
			2073	0.02	
			2074	0.05	
			2076	0.02	
			2075	0.05	
			2077	0.06	
			2078	0.08	
			1994	0.03	
			1995	0.02	
			1991	0.04	Road
			1993	0.02	PWD Road
			1990	0.01	PWD Road
			1992	0.02	
			1989	0.05	
			1908	0.05	
			1909	0.02	
			1914	0.02	
			2721	0.22	
			1915	0.02	
			1916	0.02	
			1917	0.16	
			1918	0.01	

(1)	(2)	(3)	(4)	(5)	(6)
			1919	0.10	
			1927	0.03	
			1920	0.12	
			1922	0.10	
			1923	0.12	

[No. L-14016/14/96-GP]
ARDHENDU SEN, Director

नई दिल्ली, 11 मार्च, 1997

का. आ. 760 :—चूंकि केन्द्रीय सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि एम आर एल पननगुड़ी से पीपीसीएल पोलागाम ग्राम्य प्रदेश तक पेट्रोलियम और प्राकृतिक गैस से परिवहन के लिए पाइपलाइन गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए।

और चूंकि यह प्रतीत होता है कि ऐसी लाइन को बिछाने के प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित करती है।

बसते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी गैस अथॉरिटी ऑफ इंडिया लिमिटेड, नागापटिनम को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति बिनिदिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

एम. आर. एल. पननगुड़ी से पी पी सी एल पोलागाम गैस पाइप लाइन प्रोजेक्ट

राज्य	जिला	तालुक	ग्राम संख्या तथा नाम	सर्वे नं.	क्षेत्रफल		टिप्पणी
					हेक्टे. में	एकड़ सैन्ट में	
पान्डिचेरी	पान्डिचेरी	कराईकल	035, पोलागाम	136-2	0.02.0	0.05	
				138-2	0.00.5	0.01	
				138-3	0.08.0	0.20	
				138-4	0.00.5	0.01	
				139-1	0.01.5	0.04	
				139-2	0.15.0	0.38	
				139-3	0.11.5	0.28	
				159-1	0.00.5	0.01	
				141-0	0.00.5	0.01	
				143-3	0.23.0	0.57	
				143-4	0.01.5	0.04	
				166-4	0.38.5	0.95	

[सं. एल-14016/19/96-जी पी]

अर्धेन्दु सेन, निदेशक

New Delhi, the 11th March, 1997

S.O. 760.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas from M.R.L. Panangudi to P.P.C.L. Polagam in A.P. State pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum

and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interest in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. Nagapattinam.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

MRL PANANGUDI TO PPCL POLAGAM GAS PIPELINE PROJECT

State	District	Taluk	Village No. & Name	Survey Number	Area		Remarks
					In Hectares	In Acre Cent	
1	2	3	4	5	6	7	
Pondicherry	Pondicherry	Karaikal	035 Polagam	136—2	0.02.0	0.05	
				138—2	0.00.5	0.01	
				138—3	0.08.0	0.20	
				138—4	0.00.5	0.01	
				139—1	0.01.5	0.04	
				139—2	0.15.0	0.38	
				139—3	0.11.5	0.28	
				159—1	0.00.5	0.01	
				141—0	0.00.5	0.01	
				143—3	0.23.0	0.57	
				143—4	0.01.5	0.04	
				166—4	0.38.5	0.95	

[No. L-14016/19/96-GP]

ARDHENDU SEN, Director

नई दिल्ली, 11 मार्च, 1997

का. आ. 761.—चूंकि केन्द्रीय सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि एम आर एल पननगुडी से पीपी सी एल पोलागाम, आन्ध्र प्रदेश तक पेट्रोलियम और प्राकृतिक गैस के परिवहन के लिए पाइपलाइन गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए।

और चूंकि यह प्रतीत होता है कि ऐसी लाइन को बिछाने के प्रयोजन के लिए एतत्प्राबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार अपने उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित करती है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सूचना प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, नागापट्टिनम को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की माफत।

अनुसूची
एमआरएल पननगुड़ी से पीपीसीएल पोलाग्राम गैस पाइप लाइन प्रोजेक्ट

राज्य	जिला	तालुक	ग्राम संख्या तथा नाम	सर्वे नं.	क्षेत्रफल		टिप्पणी
					हेक्टे. में	एकड़ सैन्ट में	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	
तमिलनाडु	नागई-कवैडई मिल्लीथ	नागापट्टिनम	124, पननगुड़ी	133-4	0.04.5	0.11	
				133-6	0.00.5	0.01	
				133-7	0.11.0	0.27	
				143-1ए 3	0.04.0	0.10	
				143-3बी	0.01.0	0.02	
				143-6	0.07.5	0.18	
				143-9	0.17.5	0.43	
				138-1	0.03.5	0.09	
				138-3	0.10.5	0.26	
				138-4	0.09.0	0.22	
				138-5	0.08.0	0.20	
				138-6	0.04.0	0.10	
				139-2	0.00.5	0.01	
				140-3	0.00.5	0.01	
				141-1ई	0.09.0	0.22	
				141-2ए	0.04.0	0.11	
				141-2बी	0.01.5	0.04	
				258-3	0.37.0	0.92	
				259-1	0.08.5	0.21	
				296-3	0.39.0	0.96	
				206-1बी1	0.02.5	0.06	
				206-1बी2	0.01.5	0.04	
				206-1सी	0.04.0	0.10	
				206-1डी	0.04.0	0.10	
				204-1	0.07.0	0.17	
				204-2	0.03.0	0.08	
				204-3	0.03.0	0.08	
				203-1	0.04.0	0.10	
				203-4ए	0.05.0	0.12	
				203-4बी	0.03.0	0.08	
				201-2	0.00.5	0.01	
				201-3	0.05.5	0.13	
				202-1ए	0.00.5	0.01	
				202-1 बी	0.13.0	0.32	
				200-1ए	0.17.0	0.42	
				103-1	0.15.0	0.37	
				103-4	0.01.5	0.02	
				104-4ए	0.00.5	0.01	
				104-4बी	0.14.0	0.35	
				104-5ए	0.02.0	0.05	
				107-2ए	0.08.0	0.20	

(1)	(2)	(3)	(4)	(5)	(6)	(6)
तमिलनाडु	नागई-क्वैडई	नागापट्टिनम	124. पनगुडो	107-40	0.00.5	0.01
				107-4बी	0.02.5	0.06
				107-5	0.05.0	0.12
				107-6	0.02.0	0.05
				107-11	0.06.5	0.16
				113-1	0.16.0	0.40
				113-2	0.01.5	0.04
				113-5 बी	0.04.0	0.10
				113-6	0.11.0	0.27

[स. एन. -14016/19/96- जी पी]

अर्धेन्दु सेन, निदेशक

New Delhi, the 11th March, 1997

S.O. 761.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas from M.R.L. Panangudi to P.P.C.L. Palaganu in A.P. State pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum

and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interest in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. Nagapattinam.

And every person making such an objection shall also state specifically whether to wishes to be heard in person or by legal practitioner.

SCHEDULE

MRL PANANGUDI TO PPCL POLAGAM GAS PIPE LINE PROJECT

State	District	Taluk	Village No. &	Survey Number	Area		Remarks
					In Hectares	In Acre Cent	
1	2	3	4	5	6	7	
Tamil Nadu	Nagai Quaid-E-Millet	Nagapattinam	14 Panangudi	133-4	0.04.5	0.11	
				133-6	0.00.5	0.01	
				133-7	0.11.0	0.27	
				143-1A3	0.04.0	0.10	
				143-3B	0.01.0	0.02	
				143-6	0.07.5	0.18	
				143-9	0.17.5	0.43	
				138-1	0.03.5	0.09	
				138-3	0.10.5	0.26	
				138-4	0.09.0	0.22	
				138-5	0.08.0	0.20	
				138-6	0.04.0	0.10	
				139-2	0.00.5	0.01	

1	2	3	4	5	6	7	8
Tamil Nadu	Nagai Quail-E Nagapattinam	124 Panangudi	140—3	0.00.5	0.01		
	Miller		141—1E	0.09.0	0.22		
			141—2A	0.04.5	0.11		
			141—2B	0.01.5	0.04		
			258—3	0.37.0	0.92		
			259—1	0.08.5	0.21		
			296—3	0.39.0	0.96		
			206—1B1	0.02.5	0.06		
			206—1B2	0.01.5	0.04		
			206—1C	0.04.0	0.10		
			206—1D	0.04.0	0.10		
			204—1	0.07.0	0.17		
			204—2	0.03.0	0.08		
			204—3	0.03.0	0.08		
			203—1	0.04.0	0.10		
			203—4A	0.05.0	0.12		
			203—4B	0.03.0	0.08		
			201—2	0.00.5	0.01		
			201—3	0.05.5	0.13		
			202—1A	0.00.5	0.01		
			202—1B	0.13.0	0.32		
			200—1A	0.17.0	0.42		
			103—1	0.15.0	0.37		
			103—4	0.01.0	0.02		
			104—4A	0.00.5	0.01		
			104—4B	0.14.0	0.35		
			104—5A	0.02.0	0.05		
			107—2A	0.08.0	0.20		
			107—4A	0.00.5	0.01		
			107—4B	0.02.5	0.06		
			107—5	0.05.0	0.12		
			107—6	0.02.0	0.05		
			107—11	0.06.5	0.16		
			113—1	0.16.0	0.40		
			113—2	0.01.5	0.04		
			113—5B	0.04.0	0.10		
			113—6	0.11.0	0.27		

[No. L-14016/19/96-GP]
ARDHENDU SEN, Director

CORRIGENDUM

New Delhi, the 17th March, 1997

S.O. 762.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas S. O. No. 2659, dated the 23rd August, 1996, published in the Gazette of India, Part II, Section 3, Sub-section (ii), at page 3517, issued under sub-section (I), of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government gave notice of its intention to acquire the right of user in the lands specified in the Schedule appended to that notification ;

And whereas, it has been brought to the notice of the Central Government that certain error of printing has occurred in the publication of the said notification in the Official Gazette ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the said Act, the Central Government hereby amends the Preamble appended to the said notification as follows :—

at page No. 3517—in Mandal A. Konduru against S. O. in the Preamble for “2559” read “2659”.

[F. No. R-31015/06/96-OR-II]
K. C. KATOCH, Under Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 13 मार्च, 1997.

का.आ. 763.- केन्द्रीय सरकार ने यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में वाडीनार से मध्य प्रदेश राज्य में बीना तक कच्चे तेल के परिवहन के लिये भारत ओमान रीफाइनरीज लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिये;

और कि ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः अब केन्द्रीय सरकार पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उनमें उपयोग का अधिकार अर्जित करने का अपना आशय घोषित करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, भारत का राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिए जाने की तारीख से इक्कीस दिन के भीतर, उनमें उपयोग के अधिकार का अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आक्षेप, लिखित रूप में श्री ए.वी.कालरिया, सक्षम प्राधिकारी, भारत ओमान रीफाइनरीज लिमिटेड, सेंट्रल इंडिया रीफाइनरी परियोजना, बी-5, हीरक सेन्टर, नेहरू पार्क, वस्त्रापुर, अहमदाबाद-380 015, गुजरात को कर सकेगा;

अनुसूची

तालुका: धोलका जिला: अहमदाबाद राज्य: गुजरात

गांव का नाम	सर्वेक्षण सं./ खंड सं.	क्षेत्र	हेक्टर आरे सेन्टी आरे
1	2	3	4 5
मीठापुर	1506	1	66 05

1	2	3	4	5
	1342	0	52	50
	324	0	20	34
	323	0	19	40
	322	0	27	27
	321	0	13	73
	320	0	52	86
	319	0	63	01
	कार्टट्रक	0	02	40
	280	0	17	19
	1398	0	12	45
	79	0	45	00
	88	0	08	72
	83	0	26	07
	87	0	09	85
	1449 सरकारी	0	02	18
	1447 सरकारी	0	20	95
बगोदरा	694	0	00	30
	724	0	00	10
	739	0	00	10
	806	0	00	10
	867	0	00	10
	740	0	44	20
	754	0	21	75
	891	0	08	70
	925	0	35	10
मेमर	56	0	24	64
	55/बी	0	06	82
	54	0	87	89
	रोड	0	14	42
	53	0	41	33
	52	1	02	30
	23	0	02	59
	नाला	0	21	16
	61	0	12	51
	62	0	23	22

1	2	3	4	5	1	2	3	4	5
	63	0	25	38		977/8	0	53	85
	66	0	40	77		रोड	0	06	05
	67	0	41	30		977/9	0	20	23
	69/1	0	51	33		977/10	0	21	30
	69/2	0	26	60		977/11	0	18	80
	70	0	09	75		972	0	08	20
	75/बी	0	52	88		974	0	22	80
	75/ए	0	30	85		955	0	28	62
	76	0	25	02		956	0	15	71
	77/2	0	43	89		957	0	10	75
	78	1	04	40		950	0	12	71
	कार्ट्रिज	0	05	10		958	0	25	72
	125/पैकी सरकारी	0	23	31		959	0	17	93
	125/पैकी	0	18	00		1018	0	20	41
	127	0	56	79		1014	0	14	92
	128	0	22	27		1013	0	21	45
	129	0	01	96		1025	0	19	45
	133	0	71	36		1027	0	33	34
	130	0	91	20		1028	0	35	83
कोठ	1098	0	42	91		1006	0	03	38
	1096	0	43	18		रोड	0	09	78
	1095	0	20	07		466	0	28	60
	1094	0	34	61		रेलवे	0	10	20
	1093	0	33	86		467	0	11	88
	रोड	0	08	07		482/1	0	01	08
	820	0	49	42		483/1	0	26	40
	823	0	30	08		483/2	0	32	73
	822	0	74	34		484	0	30	42
	824	0	02	09		495/1	0	55	71
	891	0	36	77		495/2	0	00	06
	894	0	47	50		496	0	13	56
	902	0	81	12		497	0	07	81
	915	1	01	24		498/2	0	16	17
	977/1	0	77	04		500/2	0	11	46
	977/7	0	00	65		502	0	23	80

1	2	3	4	5	1	2	3	4	5
	501	0	28	84		201	0	13	90
	कार्ट्रिक	0	08	10		202	0	60	07
	503/1	0	32	77		199	0	51	62
	कार्ट्रिक	0	08	38		207	0	37	77
	388	0	74	76		206	0	04	44
	386	0	59	67		208	0	05	58
	384/1	0	34	42		182	0	55	57
	380/1	0	31	63		184	0	48	34
	380/2	0	21	69		कार्ट्रिक	0	03	20
	365	0	32	17		175	0	58	48
	368	0	15	70		176	0	93	44
	नहेर	0	12	58	खरांटी	272	1	23	04
	367	0	10	78		271	0	00	96
	366	0	14	59		273	0	36	60
	370	0	20	14		270	0	55	23
	361	0	31	28		269/ए	}	0	34
	362	0	01	22		269/बी			
	357/1	0	19	53		269/सी			
	357/2	0	22	09		268/ए	}	0	21
	358	0	69	09		268/बी			
	रोड	0	11	56		274	0	09	53
	346	0	00	56		267	0	11	62
	347	0	11	12		263	0	88	86
	327	0	00	84		275	0	29	78
	348	0	28	31		262	0	02	77
	349	0	15	84		276	0	01	40
	350	0	69	09		298	0	39	67
रूपगढ	33	0	13	78		299	0	02	68
	34	0	21	00		300	0	58	53
	29	0	71	39		301	0	28	04
	27	0	58	14		303	0	02	44
	16	0	49	03		302	0	37	99
	15	0	80	10		310 पंचायत	0	08	61
	कार्ट्रिक	0	01	88		रोड	0	03	80
	7	0	69	75		322 गोचर	0	09	84

1	2	3	4	5
	312	0	32	04
	320	0	90	11
	319	0	41	71
	काटेट्रक	0	20	13
	19	0	19	42
	20	1	29	28
कालीयापुरा	नाला	0	01	28
	56	0	41	04
	55	0	51	10
	53	0	30	53
	52	0	55	86
	51	0	13	33
सीमेज	740	0	21	13
	732	0	82	23
	733	0	50	37
	726	0	36	04
	727	0	42	40
	722	0	22	07
	718/ए	0	21	61
	720	0	22	93
	719 तालाब	0	12	65
	रोड	0	02	53
	644	0	01	55
	काटेट्रक	0	03	74
	645	0	10	02
	646/बी	0	99	25
	660	0	41	62
	661	0	09	49
	659	0	38	20
	521 गोचर	0	56	84
	604	0	25	76
	603 गोचर	0	56	10
	601	0	10	48
	602 गोचर	0	12	05

1	2	3	4	5
	597 गोचर	0	54	37
	रोड	0	09	85
	598 गोचर	0	01	19
	590 गोचर	0	69	58
	591/पैकी गोचर	0	04	05
	580	0	36	21
कौका	1239	0	34	45
	1240	0	20	80
	1234	0	24	56
	1241	0	03	06
	1233	0	18	28
	1232	0	15	43
	1227	0	25	72
	1228	0	03	65
	1226	0	07	13
	1225	0	08	10
	1224	0	06	00
	1223	0	07	96
	1222	0	14	55
	1220	0	07	70
	1219	0	28	32
	1211	0	16	58
	1212	0	13	02
	1202	0	28	34
	1203	0	05	47
	1201	0	03	06
	1200	0	45	01
	1199	0	01	53
	1198	0	12	88
	1182	0	46	51
	1183	0	01	11
	काटेट्रक	0	02	80
	1154	0	39	86
	काटेट्रक	0	02	00
	1102	0	38	09

1	2	3	4	5	1	2	3	4	5
	1103	0	82	01		1216	0	21	23
	1097	0	18	72		1215	0	39	81
	1111	0	18	28		काट्टिक	0	09	10
	1094	0	01	78		1099	0	24	86
	1112	0	24	05		1100	0	36	40
	1113 तालाब	0	06	69		1115	0	22	20
	काट्टिक	0	02	60		1104	0	10	66
	1043	0	01	00		1114	0	48	54
	1041	0	15	28		1113	0	14	71
	1042	0	15	34		1112	0	14	05
	1047	0	56	30		1126-बी	0	19	97
	1049	0	45	82		1111/ए	0	00	10
	1050 तालाब	0	08	89		1126-ए	0	11	19
	1052	0	36	70		1129	0	30	79
	1051	0	48	86		1110	0	25	05
	1017	0	22	79		1109	0	01	49
	1014	0	25	93		1032	0	54	03
	1015	0	25	40		1033 गोचर	0	27	25
	1013	0	04	55		1026 गोचर	0	49	65
	1016	0	16	56		1010	0	79	50
	1002	0	33	78		रोड	0	07	03
	1003	0	71	05		953	0	36	76
	981	0	16	45		954	0	46	74
	980	0	13	12		955	0	09	45
	979	0	06	74		971	0	58	81
	978	0	06	64		965	0	14	10
	977	0	03	50		960	0	65	64
	976	0	18	00		961	0	70	05
	975	0	23	23		962	0	44	02
	973	0	17	20		963	0	23	26
पालडी	50	0	13	57		काट्टिक	0	09	28
पीसावाडा	1229	0	64	70		911	0	24	33
	1231	0	32	60		908	0	38	42
	1232	0	15	98		907	0	50	44
	1217	2	01	35		906	0	54	15

1	2	3	4	5
वीरपुर	45	0	49	91
	46	0	41	07
	48	0	10	87
	49/1	0	00	56
वीरडी	91	0	49	20
	90	0	15	61
	89	0	30	42
	85	0	11	81
	86	0	46	79
	81	0	66	92
	37	0	55	51
	74	0	03	15
	73	0	58	36
	72	0	27	02
	71	0	56	83
	42	0	03	38
	67	0	18	33
	66	0	44	45
	65	0	28	18
	64 सरकारी. जमीन	0	51	43
गीरंद	164	0	02	89
	165	0	15	91
	166	0	13	39
	167	0	46	76
	169	0	02	20
	168	0	08	06
	212	0	00	03
	211	0	16	60
	210	0	43	87
	209	0	15	75
	208	0	05	57
	209/ए	0	34	41
	205	0	23	84
	206/ए	0	14	10

1	2	3	4	5
	ओ.अन.जी.सी.	0	06	60
	रोड			
	304	0	38	00
	310	0	22	38
	307	0	13	86
	नदी	0	59	74

[फा. सं. आर-31015/23/96-ओआर. II]

के. सी. कटोच, अवर सचीव

Ministry of Petroleum and Natural Gas

New Delhi, the 13th March, 1997

S.O. 763.- Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Vadinar in the State of Gujarat to Bina in the State of Madhya Pradesh, pipelines should be laid by the Bharat Oman Refineries Limited,

And whereas, that for the purpose of laying such pipelines, it is necessary to acquire the right of users in the lands described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the lands described in the said Schedule may within twenty-one days from the date on which the copies of the notification, as published in the official Gazette, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipelines under the land to Shri A. V. Kalaria, Competent authority, Bharat Oman Refineries Limited, Central India Refinery Project, B-5, Hirak Centre, Nehru Park, Vastrapur, Ahmedabad-380015 Gujarat;

SCHEDULE

1	2	3	4	5
	67	0	41	30
	69/1	0	51	33
	69/2	0	26	60
	70	0	09	75
	75/B	0	52	88
	75/A	0	30	85
	76	0	25	02
	77/2	0	43	89
	78	1	04	40
	Cart track	0	05	10
	125/Paiki	0	23	31
	Government			
	125/Paiki	0	18	00
	127	0	56	79
	128	0	22	27
	129	0	01	96
	133	0	71	36
	130	0	91	20
	1098	0	42	91
	1096	0	43	18
	1095	0	20	07
	1094	0	34	61
	1093	0	33	86
	Road	0	08	07
	820	0	49	42
	823	0	30	08
	822	0	74	34
	824	0	02	09
	891	0	36	77
	894	0	47	50
	902	0	81	12
	915	1	01	24
	977/1	0	77	04
	977/7	0	00	65
	977/8	0	53	85
	Road	0	06	05
	977/9	0	20	23
	977/10	0	21	30
	977/11	0	18	80
	972	0	08	20
	974	0	22	80
	955	0	28	62
	956	0	15	71
	957	0	10	75
	950	0	12	71
	958	0	25	72
	959	0	17	93

Taluka : Dholka District : Ahmedabad State: Gujarat

Name of Village	Survey/Block Number	Area	Hec-tare	Are	Cent-tare
1	2	3	4	5	
Mithapur	1506	1	66	05	
	1342	0	52	50	
	324	0	20	34	
	323	0	19	40	
	322	0	27	27	
	321	0	13	73	
	320	0	52	86	
	319	0	63	01	
	Cart track	0	02	40	
	280	0	17	19	
	1398	0	12	45	
	79	0	45	00	
	88	0	08	72	
	83	0	26	07	
	87	0	09	85	
	1449 Government	0	02	18	
	1447 Government	0	20	95	
Bagodara	694	0	00	30	
	724	0	00	10	
	739	0	00	10	
	806	0	00	10	
	867	0	00	10	
	740	0	44	20	
	754	0	21	75	
	891	0	08	70	
	925	0	35	10	
Memar	56	0	24	64	
	55/B	0	06	82	
	54	0	87	89	
	Road	0	14	42	
	53	0	41	33	
	52	1	02	30	
	23	0	02	59	
	Nalla	0	21	16	
	61	0	12	51	
	62	0	23	22	
	63	0	25	38	
	66	0	40	77	

1	2	3	4	5	1	2	3	4	5
	1018	0	20	41		348	0	28	31
	1014	0	14	92		349	0	15	84
	1013	0	21	45		350	0	69	09
	1025	0	19	45	Rupagarh	33	0	13	78
	1027	0	33	34		34	0	21	00
	1028	0	35	83		29	0	71	39
	1006	0	03	38		27	0	58	14
	Road	0	09	78		16	0	49	03
	466	0	28	60		15	0	80	10
	Railway	0	10	20		Carttrack	0	01	88
	467	0	11	88		7	0	69	75
	482/1	0	01	08		201	0	13	90
	483/1	0	26	40		202	0	60	07
	483/2	0	32	73		199	0	51	62
	484	0	30	42		207	0	37	77
	495/1	0	55	71		206	0	04	44
	495/2	0	00	06		208	0	05	58
	496	0	13	56		182	0	55	57
	497	0	07	81		184	0	48	34
	498/2	0	16	17		Carttrack	0	03	20
	500/2	0	11	46		175	0	58	48
	502	0	23	80		176	0	93	44
	501	0	28	84	Kharanti	272	1	23	04
	Carttrack	0	08	10		271	0	00	96
	503/1	0	32	77		273	0	36	60
	Carttrack	0	08	38		270	0	55	23
	388	0	74	76		269/A	}		
	386	0	59	67		269/B		0	34
	384/1	0	34	42		269/C			
	380/1	0	31	63		268/A	0	21	52
	380/2	0	21	69		268/B			
	365	0	32	17		274	0	09	53
	368	0	15	70		267	0	11	62
	Canal	0	12	58		263	0	88	86
	367	0	10	78		275	0	29	78
	366	0	14	59		262	0	02	77
	370	0	20	14		276	0	01	40
	361	0	31	28		298	0	39	67
	362	0	01	22		299	0	02	68
	357/1	0	19	53		300	0	58	53
	357/2	0	22	09		301	0	28	04
	358	0	69	09		303	0	02	44
	Road	0	11	56		302	0	37	99
	346	0	00	56		310 Panchayat	0	08	61
	347	0	11	12		Road	0	03	80
	327	0	00	84		322 Cattle field	0	09	84

1	2	3	4	5	1	2	3	4	5
	312	0	32	04		1232	0	15	43
	320	0	90	11		1227	0	25	72
	319	0	41	71		1228	0	03	65
	Carttrack	0	20	13		1226	0	07	13
	19	0	19	42		1225	0	08	10
	20	1	29	28		1224	0	06	00
Kaliyapura	Nala	0	01	28		1223	0	07	96
	56	0	41	04		1222	0	14	55
	55	0	51	10		1220	0	07	70
	53	0	30	53		1219	0	28	32
	52	0	55	86		1211	0	16	58
	51	0	13	33		1212	0	13	02
Simej	740	0	21	13		1202	0	28	34
	732	0	82	23		1203	0	05	47
	733	0	50	37		1201	0	03	06
	726	0	36	04		1200	0	45	01
	727	0	42	40		1199	0	01	53
	722	0	22	07		1198	0	12	88
	718/A	0	21	61		1182	0	46	51
	720	0	22	93		1183	0	01	11
	719 Tank	0	12	65		Cart track	0	02	80
	Road	0	02	53		1154	0	39	86
	644	0	01	55		Cart track	0	02	00
	Cart track	0	03	74		1102	0	38	09
	645	0	10	02		1103	0	82	01
	646/B	0	99	25		1097	0	18	72
	660	0	41	62		1111	0	18	28
	661	0	09	49		1094	0	01	78
	659	0	38	20		1112	0	24	05
	521 Cattle field	0	56	84		1113 Tank	0	06	69
	604	0	25	76		Cart track	0	02	60
	603 Cattle field	0	56	10		1043	0	01	00
	601	0	10	48		1041	0	15	28
	602 Cattle field	0	12	05		1042	0	15	34
	597 Cattle field	0	54	37		1047	0	56	30
	Road	0	09	85		1049	0	45	82
	598 Cattle field	0	01	19		1050 Tank	0	08	89
	590 Cattle field	0	69	58		1052	0	36	70
	591/Paiki Cattle field	0	04	05		1051	0	48	86
	580	0	36	21		1017	0	22	79
Kauka	1239	0	34	45		1014	0	25	93
	1240	0	20	80		1015	0	25	40
	1234	0	24	56		1013	0	04	55
	1241	0	03	06		1016	0	16	56
	1233	0	18	28		1002	0	33	78
						1003	0	71	05

1	2	3	4	5	1	2	3	4	5
	981	0	16	45		907	0	50	44
	980	0	13	12		906	0	54	15
	979	0	06	74	Virpur	45	0	49	91
	978	0	06	64		46	0	41	07
	977	0	03	50		48	0	10	87
	976	0	18	00		49/1	0	00	56
	975	0	23	23	Virdi	91	0	49	20
	973	0	17	20		90	0	15	61
Paldi	50	0	13	57		89	0	30	42
Pisawada	1229	0	64	70		85	0	11	81
	1231	0	32	60		86	0	46	79
	1232	0	15	98		81	0	66	92
	1217	2	01	35		37	0	55	51
	1216	0	21	23		74	0	03	15
	1215	0	39	81		73	0	58	36
	Cart track	0	09	10		72	0	27	02
	1099	0	24	86		71	0	56	83
	1100	0	36	40		42	0	03	38
	1115	0	22	20		67	0	18	33
	1104	0	10	66		66	0	44	45
	1114	0	48	54		65	0	28	18
	1113	0	14	71		64 Government.	0	51	43
	1112	0	14	05		Land			
	1126-B	0	19	97	Girand	164	0	02	89
	1111/A	0	00	10		165	0	15	91
	1126-A	0	11	19		166	0	13	39
	1129	0	30	79		167	0	46	76
	1110	0	25	05		169	0	02	20
	1109	0	01	49		168	0	08	06
	1032	0	54	03		212	0	00	03
	1033 Cattle field	0	27	25		211	0	16	60
	1026 Cattle field	0	49	65		210	0	43	87
	1010	0	79	50		209	0	15	75
	Road	0	07	03		208	0	05	57
	953	0	36	76		209/A	0	34	41
	954	0	46	74		205	0	23	84
	955	0	09	45		206/A	0	14	10
	971	0	58	81		O.N.G.C.	0	06	60
	965	0	14	10		Road			
	960	0	65	64		304	0	38	00
	961	0	70	05		310	0	22	38
	962	0	44	02		307	0	13	86
	963	0	23	26		River	0	59	74
	Cart track	0	09	28					
	911	0	24	33					
	908	0	38	42					

[File No. R-31015/23/96-OR.II]
K.C. Katoch, Under Secy.

अम मंत्रालय

नई दिल्ली, 19 फरवरी, 1997

क्र.सं. 764.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.सी.सी.एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करना है, जो केन्द्रीय सरकार को 17-2-97 को प्राप्त हुआ था।

[सं. एल.-22012/172/94-आई.आर. (सी.-II)]

बी.एम. डेविड, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 19th February, 1997

S.O. 764.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of S.C.C. Ltd. and their workman, which was received by the Central Government on the 17-2-97.

[No. L-22012/472/94-IR(C-II)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

PRESENT:

Sri V. V. Raghavan, B.A., LL.B., Industrial Tribunal-I.

Dated : 22nd day of January, 1997

Industrial Dispute No. 65 of 1995

BETWEEN

The General Secretary,

Coal Mines Employees Union (HMKs),

Kothagudem

Petitioner

AND

The General Manager,

SECL Ramagundam-III,

Godavarikhani (Dist. Karimnagar) . . Respondent

APPEARANCES:

Sri C. Niranjan Rao, Advocate—for the Petitioner
M/s. K. Srinivasa Murthy & G. Sudha, Advocates—for the Respondent.

588 GI/97—10

AWARD

The Government of India, Ministry of Labour, New Delhi made a reference to this Tribunal by its Order No. L-22012/472/94-IR(C-II) dt. 12-7-1995 under Section 10(1)(d) & (2A) of the Industrial Disputes Act, 1947 for adjudication of the industrial dispute mentioned in its schedule which reads as follows:

"Whether the action of the management in not agreeing to the demand of Coal Mines Employees Union, Distt. Khammam, (A.P.) regarding regularisation of services of Sri H. Yesu and 49 other contract labourers engaged in loading and unloading of garbage in Godavarikhani area is legal and justified. If not, to what relief the workmen are entitled to?"

2. The workmen filed a claim statement contending as follows :—The Respondent Management is engaging contractors for transporting loading and unloading of Garbage in Godavarikhani. The Contractors are engaging four tractors since eight years in Sectors I, II and III and 8th Incline Colony. The Contractor is engaging two tractors and the Management is supplying two tractors with Driver for transporting the garbage. The Contractors engage workmen for loading and unloading garbage. The petitioner union gave a strike notice for absorbing the contract workmen as regular workers and it resulted in this reference. The Respondent is a public sector undertaking under the Industrial Disputes Act and the Contract Labour (Regulation and Abolition) Act, 1970 and other Notification applicable to it. The Central Advisory Contract Labour Board prohibited engagement of the contract labour for sweeping and cleaning works by Notification dt. 9-12-1976. The Contract Labour are paid Rs. 42.00 per day only and not equal to regular employees. They are made to work from 8.00 A.M. to 7.00 P.M. and even on holidays also. They have put in 240 musters in a calendar year. 6 to 8 workers are being engaged on tractor daily. Earlier the transport of garbage was done on bullock carts and 250 contract workmen were regularised and absorbed in 1991. They are also paid arrears of wages in Category I. The contract workmen and regular workmen are doing same work but the contract workmen are paid less. There was an agreement dt. 12-3-1990 with regard to contract workmen, who worked for 120 days in a period of six months. The present 50 workmen named in the claim statement are also entitled to absorption with retrospective effect.

3. The Respondent Management filed a counter contending as follows : The reference is not maintainable. There is no relationship of employer and employee between the Respondent and the contract labour. The Petitioner Union cannot represent the contract labour. There is no industrial dispute for adjudication. The reference is vague as only one name of the contract labour is given. The Union strike notice started with 12 names and swelled to 50 persons. There is no material to show that 50 persons are working. The number is swelled so that the men of the union can be got engaged. The names are also not tallying. So the reference is bad in fact also.

The Respondent constructed quarters for its employees. It has its own hospital and Health Department and Sanitation. The Municipality or the Panchayat, where quarters and Township are situated, have to attend to sweeping of the roads and other sanitary work. However, the Company is deploying its staff to keep the township clean in Sectors I, II and III. The permanent employees are doing the work of sweeping the streets and collecting the garbage at a particular place. The garbage is burnt also. The garbage ash and earth have to be transported to dumping ground which is outside the Township and Colony. The Respondent is engaging contractors for this purpose. The Contractors are paid on the basis of quantity of garbage, ash or earth, they transport. The Contractors engage tractors and men for this purpose. The contractor is paid on the quantum of garbage transported by giving work to the contractors for six months period. The work is intermittent and not continuous. The contract workers did not work on each day of the week. They have work whenever there is accumulation of garbage. Earlier, the garbage is transported by Bullock carts and they were paid wages. Later the Bullock Cart Drivers were absorbed in Category I vacancies. There is another Settlement with regard to the absorption of contract labour on 12-3-1990. A Committee consisting of representatives of the Management and the Union has been constituted. The Committee submitted a report for regularising certain contract labours. They have mentioned in Item 10(e) of the Report that periodical maintenance and repairs of buildings, roads and other establishments for which tenders are called are intermittent jobs. So the work done by the contract labour is an intermittent one. Cartmen who were absorbed earlier are directly employed by the Company whereas the present workmen are contract labour. The working conditions are not the same. The contract labours are not doing full time work. The contention that they have put in 240 musters in a calendar year is not correct. They are working under the Contractors and not under the Respondent. The reference is liable to be rejected.

4. The Secretary of the Union who espoused the cause of contract labour is examined as W.W.1. Three persons who claimed to be contract labours examined themselves as W.W.2 to W.W.4. They filed Exs. W1 to W6. The Medical Officer who supervises the Sanitary work, the Assistant Engineer, who calls for Tenders from the Contractors and the Deputy Chief Personnel Manager of the Respondent are examined as M.W.1 to M.W.3. They filed Exs. M1 to M33.

5. The point for consideration are:

- (1) Whether the reference is maintainable?
- (2) Whether the Contract Labours are entitled for the relief of regulation?
- (3) To what relief?

6. POINT (1).—The Union as well as the workmen admitted that the workmen are contract labours. They do not dispute the validity of the genuineness of the contracts. It was held in GUJARAT ELECTRICITY BOARD, THERMAL POWER STATION, GUJARAT v. HIND MAZDOOR SABHA & ORS.

[1995 (II) LLJ, Page 790] (Supreme Court) that when the contracts are genuine, a Union in which the direct employees are members can only espouse the cause of the contract labour. In our case it is not disputed that Coal Mines Employees Union, Hind Mazdoor Kisan Panchayat comprises of direct workmen of the Respondent, though it is not a recognised Union. So the reference is valid to that extent. It was further held by the Supreme Court in the said decision that industrial court has no power to order for absorption or regularisation of contract labour, that the contract labour have to approach the Government for abolition of contract labour system in a particular trade and they can approach the Industrial Tribunal for regularisation and absorption, after the Government abolishes the contract labour system in that particular trade. So the reference is not maintainable to the extent of regularisation.

7. There is some point in the contention of the Respondent that the Union is swelling the members of the contract workmen from time to time. In the strike notice Ex. W1 dt. 29-3-1994 the Union has only shown 13 persons as contract workmen working on tractors. The Union increased the number to 50 in the supplementary demand Ex. W2 given on 10-4-1994. It was mentioned in the counter that the Union claimed that the contract labours are only 13 during the conciliation proceedings. The evidence of W.W.2 and W.W.3 is that there are only six contract labours. The Union Secretary as W.W.1 and another workman who was examined subsequently as W.W.4 claimed that there are 50 contract labours. But there cannot be 50 contract labours even if four Tractors are deployed at a time for transporting the garbage, as admittedly only six workers are attached to each Tractor for loading and unloading in the Town and unloading the garbage on the dumping ground. Undoubtedly, the Union leaders have given a false figure in Ex. W2 so that they can press their men into service and get employment in Singareni Collieries Co. The reference is bad to that extent.

8. POINT (2).—The admitted facts of the case are as follows :—The Singareni Collieries Co., constructed residential colonies to its employees in Godavari Khani Town. The Municipality has to attend to cleaning of the roads, clearing of the garbage, transporting the same, cleaning the drainage, maintain drainage system and spray pesticides etc. The work of the Municipality was found to be unsatisfactory. So the Singareni Collieries Co. itself took up that work in its Colonies. The permanent employees of the Singareni Collieries Co. have been sweeping the road. At one point of time when there were less number of houses, the garbage collected every day was transported to dumping ground by deploying Bullock Carts. The cartsmen were engaged as contract workers and they were paid accordingly. When the quarters increased, these Cartsmen has to be engaged everyday. So there was a Settlement Ex. W6 dt. 17-4-1991 with them and cartsmen were absorbed from 1-4-1991. Now the position is roads are being swept by the regular full time employees of the Singareni Collieries Co. whose number is shown in Exs. M1 to M10. The only work entrusted to contractor is, transporting the garbage from the place where

it is collected by the regular employees, to the dumping ground situated outside the town. I do not agree with the evidence of W.W.1 to W.W.4 that it is every day's work. The garbage collected and kept at one place is transported for once or twice in a week, particularly so when 2 to 4 tractors are employed from morning to evening. The contract work orders are also marked as Exs. W11 to W13.

9. There was also Settlement Ex. M31 dt. 12-3-90 Item 4 is abolition of Contract Labour. The Management and the Union appointed a joint Committee consisting of 7 representatives of five workers union and representatives of the Management to recommend on this aspect. The Committee went round all the Mines and the work places. The Committee submitted Ex. M33 report for absorption of contract labour in every department. About 1,600 contract labours were absorbed as per the report and this is spoken to by M.W.3 the Personnel Officer. They did not recommend for absorbing the contract labour engaged in transporting the garbage. In fact they have shown the periodic cleaning of township and periodic maintenance and repairs of roads and other establishments for which tenders are called, as intermittent jobs in para (E) of the Report. As the present contract labour are only performing intermittent work they are not doing permanent and perineal work. They are not entitled to any relief.

10. The learned counsel for the Petitioner relied upon the decision held in PARIMAL CHANDRA RAHA AND OTHERS v. LIFE INSURANCE CORPORATION OF INDIA & OTHERS (AIR 1995 S.C. Page 1666) in which Supreme Court held that the contract workers working in Canteen of L.I.C. of India are the workers of the L.I.C. of India as Contractor is only an agent of the L.I.C. of India and as the canteens are run in pursuance of the provisions of the Factories Act. This decision does not apply to the facts of our case. A duty is not cast upon the Respondent to clean the roads or transport garbage. It is the work of the local municipality or Panchayat as the case may be. However the Respondent is attending to the said work to safeguard the health of its employees. So I hold that the Petitioners are not entitled for absorption as the regular employees.

11. POINT (3).—In the result, an Award is passed holding that the contract workmen are not entitled to any relief.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 22nd day of January, 1997.

V. V. RAGHAVAN, Industrial Tribunal

APPENDIX OF EVIDENCE

Witnesses examined for

the Petitioner

- W.W.1 : Bhpathi Appa Rao
W.W.2 : Ch. Paiesham
W.W.3 : Boreeli Komariah
W.W.4 : A. Satyanarayana

Witnesses examined for the Respondent

- M.W.1 Dr. K. Satya Vara Prasad
M.W.2 Ch. Ramakrishna
M.W.3 J. Paul Thomas

Documents marked for the Petitioner

- Ex. W1 29-3-94—Xerox copy of the strike notice issued by WW1 to the General Manager, (Project) & Medical Superintendent, Godavarikhani.
Ex. W2 10-4-94—Xerox copy of the submission of additional demands made by WW1.
Ex. W3 10-4-94—Minutes of conciliation a proceedings held on 7-4-94.
Ex. W4 10-4-94—Minutes of conciliation a proceedings held on 12-6-94.
Ex. W5 10-4-94 Conciliation failure report.
Ex. W6 17-4-91—Settlement between the parties before the Conciliation Officer on 17-4-91.

Documents marked for the Respondent

- Ex. M1 31-7-87—Men on roll statement prepared.
Ex. M2 to M10—Similar statement of men on roll prepared for each year from 1986 to 1996.
Ex. M11 to M30 : Contracts of payment etc. from 1987 to 1994.
Ex. M31 12-3-90—Settlement arrived between the Management and Workmen.
Ex. M32 17-4-91—Settlement arrived between the Management and Workmen.
Ex. M33 17-5-90—Report of Committee constituted by Ex. M31 and M32.

नई दिल्ली, 24 फरवरी, 1997

कां.अ. 765.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पाइराइट्स फास्फेट्स एण्ड केमिकल्स लिमिटेड के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-2-97 को प्राप्त हुआ था।

[सं० एल०-29011/39/91-आई०आर० (विविध)]

बी०एम० डेविड, डेस्क अधिकारी

New Delhi, the 24th February, 1997

S.O. 765.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Pyrites Phosphates and Chemicals Ltd., and their workman, which was received by the Central Government on 24-2-97.

[No. L-29011/39/91-IR(Misc.)]
B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 74 of 1992

In the matter of dispute between :

Virendra Bhandari, President,
Masoorie Phospherite Project Employees Union,
Local Bus Stand, Dehradun.

AND

Karyakari Nideshak,
PPCL, L. A. V. Ravindranath Tagore Marg,
Dehradun.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-29011/39/91-IR(Misc.) dated 28th May, 1992, has referred the following dispute for adjudication to this Tribunal—

Kya Pyrites Phosphates and Chemicals Limited ke prabandhantra dwara Audyogik Vivad Adhinnyam 1947 ki dhara 9-A ke Antargat bina notice diye karmkaro ke awakash yatra nagdikaran ko 4 ticketo tak simit karna vaidh ya nyayochit hai? Wadi nahi to karmkar kis anutosh ke adhikari hai?

2. There is PPCL in Dehradun, the Claimant Masoorie Phosphate Pirite Employees Union is recognised Union of this Industry. In this factory a scheme for grant of LTC was introduced in 1991 for the first time by virtue of which inter alia even more than 4 adult tickets could be claimed by an employee of the factory after passage of every four years. It appears that subsequently this scaling in the claim of tickets was confine to four tickets. Taking exception to this imposition of limit the union has raised this industrial dispute with the averment that this amount to change in service condition as envisages under section 9A of the Industrial Disputes Act, 1947. This could not be done without serving notice in advance. Hence this denial is illegal.

3. The opposite party has filed reply in which it has been alleged that this grant of LTC is not a condition of service, instead it is a concession the employer has every right to alter the provisions of concession at every time. Further this alternation in the concession had to be effected because of guide lines issued by the Union Government.

4. In the rejoinder nothing new has been said.

5. The only point which needs consideration is as to whether this claim of LTC is to form part of service condition or not. In my opinion the candidates of service of an employee emanate from the appointment letter or terms and conditions as given in the relevant rules, statutes or standing order. It has not been brought to my notice by the side of Union that this concession is apart of any service rules statute or standing order. In its absence I am inclined to agree that the contention of the authorised representative of the opposite party that it is just a privilege which has been given to serving officials and certainly is not a part of service condition. Hence, no change have been brought in it and it does not amount to change in service condition of service.

6. Accordingly it is held that there has been no breach of section 9-A of I.D. Act. Consequently my award is that the action of the management in ceiling of 4 tickets in claiming LTC is justified and the Union is not entitled for any relief. I have arrived at this conclusion taking into consideration the laudable object of controlling population.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 24 फरवरी, 1997

कां० 766 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कलकत्ता पोर्ट ट्रस्ट के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार 20-2-97 को प्राप्त हुआ था।

[सं० एल०-32011/7/90-आई०आर० (विविध)]
बी०एम० डेविड, डेस्क अधिकारी

New Delhi, the 24th February, 1997

S.O. 766.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Calcutta Port Trust and their workman, which was received by the Central Government on 20-2-97.

[No. L-32011/7/90-IR(Misc.)]
B. M. DAVID, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No. 22 of 1990

PARTIES :

Employers in relation to the management of Calcutta Port Trust.

AND

Their workmen.

PRESENT :

Mr. Justice K. C. Jagadeb Roy, Presiding Officer.

APPEARANCES :

On behalf of Management : Mr. G. Mukhopadhaya, Senior Labour Officer and Mr. M. K. Das, Senior Labour Officer.

On behalf of Workmen : Mr. T. Roy, Vice President of the Calcutta Port Shramik Union and Mr. S. Das, Secretary of the National Union of Waterfront Workmen (I) and Mr. P. C. Mondal, Executive Committee member of the National Union of Waterfront Workmen(I).

STATE : West Bengal.

INDUSTRY : Port.

AWARD

By Order No. L-32011/7/90-IR(Misc.) dated -9-1990 received by the Tribunal on 21st September, 1990, the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Calcutta Port Trust in contemplating to induct such Greasers as Crane Drivers who do not possess the competency certificate as stipulated in "Das Gupta Tribunal Award" is justified? If not, what should be the guiding principles in this behalf to be followed

while making promotion to the post of Crane Drivers?"

2. It is a case of the year 1990. Several adjournments have been given allowing the workmen to lead their evidence since 12-9-1995 but no steps has been taken by them, even though it is indicated by order dated 6-8-1995 that the case was adjourned to 30-9-1996 for examination of witnesses on behalf of the workmen as a last chance. In spite of this, none has appeared on behalf of the two unions appearing in the case, nor any witness is present on their behalf.

3. The management is represented by their authorised officer Shri Mukhopadhyaya who stated on 30-9-1996 that in view of the fact that the workmen have not led any evidence in support of their case, the management had nothing to adduce by way of evidence. It is further stated by the management that the conduct of the workmen show that they have given up the case and do not want to press their grievance in the reference.

4. No material has been placed before me to suggest that the workmen have been unduly prevented to appear in the case and to lead their evidence. I accordingly pass a "No Dispute" Award.

The reference is disposed off accordingly.

Dated, Calcutta,

The 4th February, 1977.

K. C. JAGADEB, ROY, Presiding Officer

नई दिल्ली, 24 फरवरी, 1997

का०आ० 767.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कलकत्ता पोर्ट ट्रस्ट के प्रबन्धसंग्रह के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-2-97 को प्राप्त हुआ था।

[सं० एल०-32011/12/91-आई०आर० (विशेष)]

बी०एम० डेविड, डेस्क अधिकारी

New Delhi, the 24th February, 1997

S.O. 767.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Calcutta Port Trust and their workman, which was received by the Central Government on the 20-2-97.

[No. L-32011/12/91-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 24 of 1992

PARTIES :

Employers in relation to the management of Calcutta Port Trust.

AND

Their workmen

PRESENT :

Mr. Justice K. C. Jagadeb Roy, Presiding Officer.

APPEARANCES :

On behalf of Management.—Mr. G. Mukhopadhyaya, Senior Labour Officer and Mr. M. K. Das, Senior Labour Officer.

On behalf of Workmen.—Mr. K. K. Banerjee, Working President of the National Union of Waterfront Workers.

Mr. R. N. Chandra, President of the Haldia-Calcutta Port & Dock Shramik Union with Mr. R. L. Banerjee, Vice President of Haldia—Calcutta Port & Dock Shramik Union.

STATE : West Bengal

INDUSTRY : Port

AWARD

By Order No. L-32011/12/91-IR (Misc) dated 8-5-1992 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Calcutta Port Trust in refusing to supply soap to the class-IV employees i.e., peons, sweepers, khalasis, chairmen, watchmen, casual workers etc. working under the River Training Wing of the Chief Engineer's department of Calcutta Port Trust on the analogy and basis on which the soap is supplied to other similar categories of employees working in other different departments of the Calcutta Port Trust is justified or not? If not to what relief the concerned employees are entitled to?"

2. It is a case of the year 1992. Even though the workmen were represented by two unions, notice is appearing in the case since 30-11-1995 and no steps has been taken by them to present their evidence, while they had a right to begin. By order dated 24-12-1996 the case was adjourned to 3-2-1996 as a last chance for the workmen to lead their evidence. Still, none appeared on their behalf, nor any witness was present.

3. Shri Das appearing for the management states that in view of the fact that the workmen have not led any evidence in support of their contention, there is nothing for the management to rebut by way of their evidence and accordingly do not want to examine any witness. It is further submitted by Shri Das that since the workmen are not appearing for quite some time and not led their evidence, the reasonable conclusion should

be that they have given up their case and a "No Dispute" Award be passed.

4. Since I have no material before me to hold that the workmen are unduly prevented to appear in the case and to lead their evidence, I accept the contention of the management that the workmen have given up their case. I accordingly pass a "No Dispute" Award in the case.

The reference is disposed of accordingly.

Dated, Calcutta,

The 4th February, 1997.

K. C. JAGADEB ROY, Presiding Officer

नई दिल्ली, 24 फरवरी, 1997

कां० 768.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कलकत्ता पोर्ट ट्रस्ट के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-2-97 को प्राप्त हुआ था।

[सं० एल०-32011/10/91-आई०आर० (विविध)]

बी०एम० डेविड, डेस्क अधिकारी

New Delhi, the 24th February, 1997

S.O. 768.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes, the Award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Calcutta Port Trust and their workman, which was received by the Central Government on the 20-2-97.

[No. L-32011/10/91-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL AT CALCUTTA

Reference No. 26 of 1992

PARTIES :

Employers in relation to the management of
Calcutta Port Trust

AND

Their workmen.

PRESENT :

Mr. Justice K. C. Jagadeb Roy, Presiding
Officer.

APPEARANCE :

On behalf of Management.—Mr. M. K. Das,
Senior Labour Officer and Mr. G.
Mukhopadhyaya, Senior Labour Officer.

On behalf of Workmen.—Mr. K. K. Banerjee,
Working President of the National
Union of Waterfront Workers.

Mr. R. N. Chandra and Mr. R. L. Banerjee,
President and Vice-President of the
Haldia-Calcutta Port & Dock Shramik
Union respectively.

STATE : West Bengal

INDUSTRY : Port

AWARD

By Order No. L-32011/10/91-IR (Misc) dated 12-5-1992 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Calcutta Port Trust in refusing to pay Cycle Allowance to Security Jamadars and Subedars working in Security Section of Calcutta Port Trust on the same analogy as granted to Sanitary Inspectors and Sanitary Sub-Inspectors working in Calcutta Port Trust as per Central Government Industrial Tribunal Award in Ref. No. 11 of 1977 is justified ? If not, to what relief the concerned workmen are entitled to ?"

2. Even though adjournments were made allowing the workmen to lead their evidence in support of their case, no steps had been taken either by the Haldia—Calcutta Dock & Port Shramik Union or the National Union of Waterfront Workers, the other Unions appearing in the case to present their evidence. Mr. Das, Senior Labour Officer appearing for the management accordingly submits that since the workmen have not led any evidence, there is nothing for the management to counter by leading any evidence from their side and since the workmen have already chosen not to appear, the Tribunal should pass a "No Dispute" Award as the persistent absence of the unions would show that they had given up their case.

3. Since no materials are available before me to show that the unions were prevented to appear for any good reason and have failed to lead their evidence in spite of several opportunities having been given, I accept the contention of the management that the workmen have given up their case. I, accordingly, pass this "No Dispute" Award in this case.

The reference is disposed of accordingly.

Dated, Calcutta,

The 29th January, 1997.

K. C. JAGADEB ROY, Presiding Officer

नई दिल्ली, 26 फरवरी, 1997

का.अ. 769 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ.सी.आई. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-2-97 को प्राप्त हुआ था।

[सं. एल. 22012/513/95-आई.आर. (सी.-II)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 26th February, 1997

S.O. 769.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of F.C.I. and their workman, which was received by the Central Government on 25-2-1997.

[No. L-22012/513/95-IR(C-II)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 80 of 1996

In the matter of dispute :

BETWEEN

Secretary,
Food Corporation of India,
Mazdoor Sangh,
6 Ranjeet Singh Building,
Talkatora Road,
Lucknow.

AND

Senior Regional Manager,
Food Corporation of India,
5-6, Habibullah State,
Hazratganj,
Lucknow.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its Notification No. L-22012/513/95-I.R.(C-II) dated 21-8-96, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of Sr. Regional Manager, FCI, Lucknow to stop payment of wages to the labours belonging to Bh. Kh. N. M. Sangh, engaged at FSD, Sandila from November, 1994 onward without any valid and cogent reasons is legal and justified? If not, what relief the workmen concerned are entitled to?

2. In spite of repeated opportunities, having been given to the concerned workman, he neither filed any claim statement nor put in appearance in the Tribunal. It appears that he is not interested in the case.

3. Hence my answer to the reference is in the affirmative and against the concerned workman for want of proof. He has not entitled to any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 5 मार्च, 1997

का.अ. 770—जबकि मेसर्स, एम.सी.सी.एल. के मंडामारी क्षेत्र के प्रबन्धन के संबंध में नियोजकों और सचिव सेट्रल काउन्सिल, एस.सी. वर्क्स संघ (एटक) बलामपल्ली के प्रतिनिधित्व में उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है।

और जबकि, उपरोक्त नियोजक तथा उनके कर्मकार औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-क की उप-धारा (1) के अन्तर्गत एक लिखित करार द्वारा उक्त विवाद को विवाचन के लिये भेजने पर सहमत हैं और उक्त विवाचन करार की एक प्रति केन्द्रीय सरकार को भेज दी गई है;

अतः अब उक्त अधिनियम की धारा 10-क की उप-धारा (3) के अनुसरण में केन्द्रीय सरकार उक्त करार को एतद्वारा प्रकाशित करती है।

करार

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अन्तर्गत)

पक्षकारों के नाम :—

नियोजक के प्रतिनिधि	संघ के प्रतिनिधि
महा प्रबंधक मंडामारी	1. श्री सी.एच. नरसय्या सचिव
मेसर्स एस.सी.सी. लिमिटेड	(सेट्रल काउन्सिल)
	एस.सी. वर्क्स यूनियन एटक
पिन: 504231	बलामपल्ली, पिन: 504251

अतः पक्षकार निम्नलिखित विवाद को विवाचन के लिये श्री के. राम कृष्ण उप मुख्य श्रम आयुक्त (केन्द्रीय), बंगलौर, भारत सरकार, श्रम मंत्रालय के पास भेजने के लिये सहमत हैं।

(1) विवाद में विनिष्ट मामले मैसर्स एस.सी.सी. लिमि. में मंडामारी, क्षेत्र के सिविल विभाग में छुट्टी और अनुपस्थिति के कारण रिक्तियों में पम्प अपरेटर के रूप के कार्य करने के लिये कार्यकारी पैनल बनाना।

(2) अन्तर्ग्रस्त प्रतिष्ठान अथवा उपक्रम के नाम और पतों सहित विवाद के पक्षकारों के ध्यौरे:

1. महाप्रबंधक, मंडामारी

मैसर्स एस.सी.सी. लिमि.-524231 (प्रबंधन)

2. सचिव सेंट्रल काउन्सिल:

एस.सी. वर्कर्स संघ (एटक) बलामपल्ली

(3) कर्मकार का नाम यदि वह विवाद में अन्तर्ग्रस्त है अथवा संघ का नाम, यदि कोई हो, कर्मकार अथवा प्रवर्धनीय कर्मकार का नाम।

सचिव सेंट्रल काउन्सिल,

एस.सी. वर्कर्स संघ (एटक),

बलामपल्ली।

(4) प्रभावित उपक्रम में नियोजित कर्मकारों की कुल संख्या: सिविल विभाग, 225

(5) विवाद से प्रभावित अथवा प्रभावित होने वाले कर्मकारों की अनुमानित संख्या 10 (दस)

हम इस बात से सहमत हैं कि विवाचक का निर्णय हम पर बाध्यकारी होगा।

विवाचक, समुचित सरकार द्वारा इस करार के सरकारी राजपत्र में प्रकाशन की तारीख से 3 माह की अवधि के भीतर अथवा हमारे बीच लिखित रूप में पारस्परिक करार द्वारा बढ़ाए गये और समय के भीतर पंचाट देगा। यदि ऊपर उल्लिखित अवधि के भीतर पंचाट नहीं दिया जाता है, विवाचन के लिये संदर्भ स्वतः निरस्त हो जायेगा और हम नये सिरे से विवाचन के लिये वार्ता करने के लिये स्वतन्त्र होंगे।

पक्षकारों के हस्ताक्षर

प्रबंधन की ओर से

संघ की ओर से

ह./-

ह./-

(ई.वी. पुरुषोत्तम)

(सी.एच. नरैय्या)

ह./-

(जे. मुरुगु राव)

ह./-

(वाई. रामा मोहनराव)

के समक्ष

ह./-

महायुक्त श्रम आयुक्त (केन्द्रीय)

मैन्चेरियत कैम्प मंडामारी

साक्ष्य :

ह./-

1. (टी. कृष्ण)

2. ह./-

(बी. एम. लिंगैया),

विवाचक की सहमति

विषय — मैसर्स एस.सी.सी. लिमि. के मंडामारी क्षेत्र के सिविल विभाग में संघ अपरेटर पम्प के रूप में कार्य करने के लिये कार्यकारी पैनल तैयार करने के बारे में एस.सी. सी. लिमि. के मंडामारी क्षेत्र के प्रबंधन और एस.सी. कर्मकार संघ के प्रतिनिधित्व में उनके कर्मकारों के बीच विवाद धारा-क के अन्तर्गत विवाचन के लिये सहमति के संबंध में।

कृपया अपने दिनांक 1 जनवरी, 1997 के फैक्स संदेश पृष्ठांकन सं. 1/173/96 के संदर्भ में देखें। मै. फा. सं. 1/173/96-स.अ.आ. एस.सी.आई. में दिये अनुसार विवाचक बनने के लिए तैयार हूं।

ह./-

उप मुख्य श्रम आयुक्त (केन्द्रीय) बंगलौर

[सं. एल-22025/1/97-आई.आर. (सी. II)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 5th March, 1997

S.O. 770.—Whereas an industrial dispute exists between the employers in relation to the management of Mandamarri Area of M/s. SCCL and their workmen represented by Secretary, Central Council, SC Workers Union (AITUC), Bellampalli.

And whereas, the said employers and their workmen have by a written agreement under Sub-Section (1) of Section 10-A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government a copy of the said arbitration agreement:

Now, therefore, in pursuance of Sub-Section (3) of Section 10-A of the said Act, the Central Government hereby publishes the said agreement.

AGREEMENT

(Under Section 10-A of the Industrial Disputes Act, 1947)

BETWEEN

Name of parties :—
Representing Employer

1. The General Manager,
Mandamarri,
M/s. S.C.C.Ltd.,
PIN : 504231.

Representing Union

1. Sh. Ch. Narasaiah,
Secretary,
(Central Council),
S. C. Workers Union,
A.I.T.U.C.,
Bellampalli,
PIN : 504251.

It is hereby agreed between the parties to refer the following dispute to the arbitration of Sh. K. Rama Krishna, Dy. CLC(C), Bangalore, Govt. of India, Ministry of Labour.

- (i) Specific matter in dispute : Preparation of Acting Panel for acting as Pump Operator in leave and absenteeism vacancies in Civil Deptt. of Mandamarri, Area in Ms. S.C.C. Ltd.
- (ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved :
 1. General Manager,
Mandamarri,
M/s. S.C.C. Ltd.-524231,
(Management).
 2. The Secretary,
Central Council,
S.C. Workers Union (AITUC),
Bellampalli.
- (iii) Name of the workman in case he himself is involved in the dispute or the name of the Union, if any, representing the workman or workmen in question.
The Secretary, Central Council, S.C. Workers Union (AITUC), Bellampalli.
- (iv) Total number of workmen employed in the undertaking affected :
Civil Department, 225.
- (v) Estimated number of workmen affected or likely to be affected by the dispute.
10 (ten).

We further agree that the decision of the arbitrator be binding on us.

The arbitrator shall make his award within a period of 3 months from the date of publication of this agreement in the Official Gazette by the appropriate Government or within such further time as is extended by mutual agreement between us in writing. In case the award is not made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitrations.

588 G1/97—11

SIGNATURE OF THE PARTIES

On behalf of the management : On behalf of the Union
Sd/- Sd/-

(E. V. Purushotham) (Ch. Narasaiah)
Sd/-
(J. Mruthyunjaya Rao)
Sd/-
(Y. Rama Mohan Rao)

BEFORE

Sd

ASST. LABOUR COMMISSIONER

(CENTRAL)

MANCHERIAL CAMP MANDAMARRI

Witnesses :

Sd/-

1. (T. Krishna)
2. Sd/-
(B. Lingaiah)

CONSENT OF THE ARBITRATOR

Sub : I.D. Between the management of Mandamarri Area of M/s. S.C.C. Ltd. and their workmen represented by S.C. Workers Union over preparation of Acting Panel for acting as Pump Operator in leave & absenteeism vacancies in Civil Deptt. of Mandamarri area of M/s. SCCL—
Consent for Arbitration under Section 10-A reg.

Refer to your FAX message endorsement No. 1/173/96 dated 1st January, 1997. I am willing to act as Arbitrator in your file No. 1/173/96-ALC-MCI.

Sd/-

Deputy Chief Labour Commissioner (C),
Bangalore

[No. L-22025/1/97-IR(C-II)]

B. M. DAVID, Desk Officer

नई दिल्ली, 19 फरवरी, 1997

का.आ. 771.—औद्योगिक विवाद अधिनियम, 1947
(1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय
सरकार स्टेट बैंक ऑफ इंडिया हैदराबाद के प्रबन्धकों के संवाद

नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, I, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-2-97 को प्राप्त हुआ था।

[संख्या एल०-12012/116/86-आई०आर० (बी०-I)]

पी०जे० माईकल, ईस्क अधिकारी

New Delhi, the 19th February, 1997

S.O. 771.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal-I, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India Hyderabad and their workman, which was received by the Central Government on the 17-2-1997.

[No. L-12012/116/86-I.R.(B.I.)]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

PRESENT :

Sri V. V. Raghavan, B.A.,LL.B., Industrial Tribunal-I.

Dated : 25th day of January, 1997

INDUSTRIAL DISPUTE NO. 50 OF 1995

BETWEEN

The General Secretary, State Bank Employees' Union Peddibhatlavari Street, Vijayawada-520 002 .. Petitioner

AND

The Chief General Manager, State Bank of India, Hyderabad Circle, Local Head Office, Hyderabad-500.070. ... Respondent

APPEARANCES :

M/s. Vedula Srinivas and Vedula Ramamurthy, Advocates for the Petitioner. Sri B. G. Ravinder Reddy, Advocate for the Respondent.

AWARD

The Government of India, Ministry of Labour, New Delhi made a reference to this Tribunal by its Order No. L-12012/116/86-I.R.B.I. dated 3-5-1995 under Section 10(1)(d) & (2A) of the Industrial Disputes Act, 1947 for adjudication of the industrial dispute in its schedule which reads as follows :

"Whether Sri K. V. Lakshma Reddy, Head Cook, S. N. Raiu, Supplier, G. K. Raiu, Supplier, Ch. Devendra, P. Srinivas, K. Raiu, Waterboy-cum-Cleaners, A. Bhaskar and Shaik Osman, Suppliers, Md. Iyas Ali, Assistant Cook and M. Vittal Bobu, Waterboy-cum-Cleaner are employees of the State Bank of India, Hyderabad ? And whether termination of their services is legal and justified ? If not, what relief are the workmen entitled to ?"

2. The workmen filed a claim statement contending as follows : The State Bank of India was constituted under the State Bank of India Act, 1955. The workmen of the Bank are represented by recognised Trade Union and their service conditions are governed by the Awards and Settlements. There was an agreement between the Bank and the All India State Bank of India Staff Federation in 1963 for creation of Staff Welfare Fund and utilise the same for the welfare activities of the staff. There was an agreement to provide a canteen run by the local Implementation Committee in the Branch Offices where the staff complement is more than 60. In pursuance of the agreement Circle Welfare Committees were constituted at Local Head Offices of the Respondent-Bank. The expenditure was debited to revenue account and head of staff Welfare Account by the Bank. Similarly, the office mess was run by the Bank for providing similar facility to the officers working at Local Head Office, Hyderabad and the entire expenses were born by the Bank. The persons working in the mess are recruited by the Bank. Their salaries were paid by the Bank. The expenditure of the mess was debited alongwith the salaries in the revenue account of the Bank. There is no difference between the way the Bank run the staff canteen and also the officers mess. They are employees of the Bank. When the Staff of the Officers mess demanded salary on par with the bank employees, their services were terminated on 19-7-1980. The mess was also closed. They have worked for more than 240 days. The conciliation failed. There was a reference to the Government. The Government refused to refer the matter to this Tribunal. So the workmen have to file W.P. No. 12391/1986 and the High Court allowed the petition in 1994. So, the Government made this reference. The Bank runs the Staff Canteen and Officers Mess in pursuance of the Settlement 1963 and 1977 and bore the whole expenditure. The workmen namely A. Krishna, G. Sailu and P. Dasarath were absorbed in the Bank and thus the present workmen are discriminated. The Industrial Tribunal of Calcutta and Madras did not accept the stand of the Bank with regard to such employees. At present the Officers mess is being run by the Officers which is the arrangement made by the Bank in order to avoid a similar demand from the persons employed therein, and to defeat the claim of the present petitioners. The Respondent is bound to treat the petitions, as employees of the Bank. Hence an Award may be passed directing the Respondent Bank to treat the Petitioners as employees of the Bank and reinstate them with all consequential benefits.

3. The Respondent Bank filed a counter contending as follows :—The State Bank of India Employees Union cannot espouse the cause of the Petitioners as they are only about 81 members in the said union whereas 13 557 employees out of total employees of 13 659 in Hyderabad Circle are members of the SBI Staff Union. There is no community of interest between the union of the Petitioners-workmen. The Bank provided the canteen facility for the staff and the officers under an agreement of 1963 and

took over the management as per the agreement dated 31-10-1977 w.e.f. 2-1-1978. It is running the canteen in local Head Office, Hyderabad, where main branch of S.B.I. is also situated. There is no obligation to run officers mess separately. The officers mess was started by the officers themselves in the premises of the Bank by contributing Rs. 10.00 each. A part of the expenses incurred by the Mess in the initial stage was reimbursed by the Bank as a special case and as a gesture of good will. The Bank also lent the services of P. Dasarath, G. Sailu and A. Krishna for some time as an interim measure. Thereafter, they were withdrawn. The contention that the officers mess is run by the Bank similar to staff canteen is not correct. The persons in dispute (Petitioners) were not appointed by the Bank. The Managing Committee of the Officers mess employed the persons in dispute. The said workmen received wages from the Managing Committee of the Officers Mess. There was nothing common between the staff canteen and the officers mess. The dispute raised by the staff of the canteen at Calcutta and Madras are quite different. The direct payment of wages to one of the employees of the Mess was done by debit to Bank Charges A/c due to in advance of the Bank. Officials concerned and the Bank contemplated to take action against the officers responsible to this lapse. The said employee K. V. Laxma Reddy entered into an agreement with Officers Mess Committee on 1-12-1979 for providing service of a Cook. It was mentioned therein that he was an employee of the Committee only and not of the Bank. The Petitioners are not entitled to any relief.

4. The Secretary of the Union is examined as W.W.1. The two workmen connected to this dispute are examined as W.W.2 and W.W.3. The Officer of the Respondent Bank is examined as M.W.1.

5. The points for consideration are as follows :

- (1) Whether the State Bank of India Employees Union can espouse the cause of the workers ?
- (2) Whether the workers mentioned in the reference are employees of the Bank ?
- (3) Whether the petitioners are entitled to reinstatement with back wages and other benefits ?

6. POINT (1).—It is admitted by W.W.1 the Secretary of the Union that out of 13,659 workmen in Hyderabad Circle, there are only 100 workmen as members in the Petitioner Union. The remaining are members of the S.B.I. Staff Union. So negligible number of employees are supporting the cause of the workmen in question. Nonetheless it cannot be said that the reference is bad in law.

7. POINT (2).—The facts of the case are as follows : There was an agreement between the Management of the Bank and the All India Federation of India Employees for providing canteen to the employees at subsidised rates. It was in 1963. The canteens

were run at a particular places by the local Implementation Committee in which the officers and staff are the members. The Bank was giving subsidy. The agreement of 1963 was replaced by EX.W.1 agreement dated 31-10-1977 whereby the Bank took over the management and running the staff canteen in the manner provided in the scheme attached to the agreement. The Bank agreed to provide canteen staff, also besides space, furniture and part reimbursement of rent charges given by the Bank under 1963 agreement. The Bank agreed to absorb the existing staff in the canteen as Bank employees subject to interview, physical fitness etc. As per Clause 2 of the Scheme the Bank can appoint a Canteen Manager and can recruit adequate canteen staff such as Cooks, Suppliers, Masalchi, Dish Cleaners etc. All such employees should be recruited in the subordinate cadre of the Bank and place them at the starting salary in the grade. There will be a Canteen Committee with the Chief Manager or Branch Manager as Chairman, the Canteen Manager as ex-officio Secretary and five Members of the supervisory staff and eight from the workmen staff as members. The committee would act as advisory body. The canteen should be run at no profit and no loss basis.

8. The canteen is being run in the compound of Local Head Office at Hyderabad. The main branch of the State Bank of India, Hyderabad is also in the same compound.

9. The Officers mess was started on 6-11-1979 in the same building in which there is staff canteen and both of them are separated by a wall and a door way. It is in the evidence that earlier the room in which the officers mess was started was being used as lunch room by the officers. There is furniture of the Bank in the said room. Earlier the officers were only using this room for taking lunch either brought from their houses or purchased in the staff canteen as they do not want to mix up with the other staff.

10. The ten workers mentioned in the reference worked as Cook, Suppliers etc. in the said Mess. The mess was closed on 19-7-1980. The service of the workers mentioned in the reference (hereinafter called as the Petitioner) were terminated on the same day. So they raised this dispute.

11. The contention of the Petitioners is that they are appointed by the Bank, that they are the employees of the Bank as the officers mess is an extension of staff canteen and they are entitled to be reinstated with back wages and other benefits as bank employees. The contention of the Bank is that there is no obligation on the part of the Bank to start a separate officers mess, that the mess was started independently by Officers themselves with their own fund and that though the Bank gave subsidy initially, it has no obligation to run the mess and so the petitioners are not its employees.

12. There is no evidence that the Manager of the Bank appointed the petitioners. W.W. 2 deposed and that he joined as Supplier in the Canteen that two canteen managers, whose names he does not know, assured him of confirmation of service. He admits in his cross examination that there are two canteens in the same compound and he worked in the officers

mess and not in the staff canteen. Similarly W.W. 3 admitted that he was appointed by a peon by name Krishna who was deputed to work in the officers mess for some time. He was not appointed by the Manager of the Bank. He admits that N.V.S. Satyanadham (M.W. 1) who is an employee of the Bank was acting as the Manager of the Officers Mess and paying him the wages at that time.

13. The evidence of M.W. 1 Satyanadham is that there were about 500 to 600 officers in that compound who were employed in the Local Head Office, the main Branch and Zonal Office. They all contributed Rs. 10 each and started the officers mess exclusively for the officers only. They purchased utensils, cookery items etc. They used furniture already existing in the room allotted as lunch room for the officers. Later it was found difficult to run the mess, so it was closed. Two of the sub-staff were deputed to work in the mess for some time. The Bank did not advance any amount for running this mess. The officers formed a Committee from amongst themselves with four or five members to maintain the mess and he was instructed to manage the same. He entered into an agreement Ex. M1 with Laxma Reddy, Cook to work as such with wages of Rs. 350.00 per month. As mentioned in Clause 9 of the Agreement, Sri Laxma Reddy was appointed as Cook by the Managing Committee of the Officers mess and he is not eligible to be treated as Bank employee.

14. The following facts are such from the evidence on record.

- (i) The staff canteen is in existence since 1963, and it is run by the Bank itself from 1977. The employees of the staff Canteen are the employees of the Bank.
- (ii) The Officers mess was started on 6-11-1979.
- (iii) Each officer contributed Rs. 10.00 each for purchasing utensils etc.
- (iv) Eatables are cooked separately in the canteen and officers' mess.
- (v) The room, the furniture and three sub-staff members were provided by the Bank for the officers' Mess.
- (vi) The Bank also gave an amount of Rs. 9,362.88 on 27-6-1980 and Rs. 827.46 on 19-7-1980 to officers Mess as a gesture of goodwill.

M.W. 1 who was asked to manage the mess entered into an agreement Ex. M1 dt. 1-12-1979 with K. Laxma Reddy one of the petitioners herein whereby Sri Laxma Reddy agreed to work as Cook in the officers' mess on monthly wages of Rs. 350.00. It was specifically mentioned therein that he is an employee of the Officers' Mess only and he is not eligible to be treated as Bank employee.

15. The wages of Sri Laxma Reddy appears to have been paid by Bank as admitted in para 5 of the counter and it was also pleaded that it was due to inadvertance. There was no evidence from both sides on this aspect. The Petitioners should have

given a notice to the Bank to produce the concerned records.

16. None of the petitioners were appointed by the Bank. Ex. W1 agreement and the scheme referred to the Bank recruiting them as per the procedure prescribed for subordinate cadre of the Bank. No such procedure was followed. The Bank did not pay wages to these workmen. W.W. 2 admitted that M.W. 1 paid the wages to them. So the Bank never paid the wages to these petitioners. The Officers mess was closed and the services of the petitioners were terminated on 19-7-1980. The Petitioners were paid wages upto that date and some bonus also. The Petitioner gave Ex. W2 representation to the Manager in the Local Head Office and remitted back the amount paid to them on 21-7-1980 to the credit of "Charges Account Officers Mess". The Petitioner did not give a notice to the Bank to produce those accounts or pursue the matter.

17. It cannot be said that the officers mess is an extension of the staff canteen. There is no obligation in the Bank to start an officers Mess under the Factories Act or start a separate mess for the officers under Ex. W1 agreement. Simply because the Bank allowed the Officers to use its premises, furniture and services of some workmen for some time it cannot be said that the Bank itself started the officers mess. The Bank has not employed the petitioners and that they were appointed by M.W. 1 only. The Supreme Court in *Employers in relation to the management of Reserve Bank of India v. workmen* [1996 (3) S.C.C. Page 267] considered the canteens run in Reserve Bank of India which are fully subsidised by the Reserve Bank and held that the employees in the canteen are not the employees of the Reserve Bank of India. The relevant portion of the Judgement is as follows :

"The Bank was making grants by way of subsidy at 95% of the costs incurred by the canteens for payment of salary., P.F. contribution, gratuity, uniform etc. besides providing fuel, water, fixtures, utensils, furniture, electricity, premises etc., free of charge. We will take up the individual facts highlighted by the Tribunal in respect of the different categories of canteens Regarding the canteen run by the implementation Committee (Canteen Committee), out of the 12 representatives 3 of them are from the Bank—the Currency Officer, Personnel Officer and the Officer from the Personal Policy Department. The Currency Officer is always the Chairman of the Canteen Committee. The Bank relieved four employees who are in the Committee, two for full day and two for half day to supervise the day-to-day affairs of the Canteen. The Committee cannot increase the strength of the canteen employees without the permission of the Bank. The rates of eatables also cannot be revised without

the consent of the manager. They cannot effect any wage revision without the approval of the Bank. The Bank is also reimbursing the expenses incurred over the periodical medical check-up of the employees attached to the kitchen and counters. In these circumstances, the Tribunal held that the case clearly falls within the ratio laid down by this Court in M.M.R. Khan Case, since the Bank exercises "remote control" which is as effective as any. As against the above aspects, the fact remains that according to the Bank it has only a limited role to play regarding the functioning of the Committee and does not have any control whatsoever on the employees engaged by the Committee so far as taking of disciplinary action against any particular employee is concerned. The Bank has further brought out in cross examination of the employees' representative that the recruitment of the workers for the canteen is made by the Canteen Committee, and the attendance record as well as the sanctioning of leave to the workers is done by the Committee. It was also brought out in evidence that the only role played by the Bank in the running of the canteen was the nomination of the three members to the Committee. It is common ground that the canteen run by the Implementation Committee (Canteen Committee) is not under any legal obligation as was the case in M.M.R. Khan case. Moreover, there is no right in the Bank to supervise and control the work done by the persons employed in the Committee nor has the Bank any right to direct the manner in which the work shall be done by various persons. The Bank has absolutely no right to take any disciplinary action or to direct any canteen employee to do a particular work. Even according to the Tribunal, the Bank exercise only a 'remote control'. We are of the view that in the absence of any obligation, statutory or otherwise, regarding the running of a canteen by the Bank and the details relating the rate similar to Factories Act or the Railway Establishment Manual, and in the absence of any effective or direct control in the Bank to supervise and control the work done by various persons, the workers in the canteen run by the Implementation Committee (Canteen Committee) cannot come within the ratio laid down by this Court in M.M.R. Khan Case.

26.....

.....On the facts of this case, in the absence of any statutory or other legal obligation and in the absence of any right in the Bank to supervise and control the work or the details thereof in any manner regarding the canteen workers employed in the three types of canteens, it cannot be said that the relationship of master and servant existed between the Bank and

the various persons employed in three types of canteens."

18. Point (3).—In the above circumstances, an Award is passed holding that the Petitioners are not entitled to any relief.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 25th day of January, 1997.

V. V. RAGHAVAN, Industrial Tribunal

Appendix of evidence

Witness examined for the Petitioner	Witness examined for the Respondent
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W.W.1 C.B.S.P. Ramamurthy	M.W.1 (N. V. Satyanadham)
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W.W.2 Shaik Osman

W.W.3 C. N. Devendra

Documents marked for the Petitioner

Ex. W1 31-10-77—Agreement between the Management and Staff regarding the running of the canteen.

Ex. W2 19-7-80—Representation made to the Office Manager of S.B.I., Hyderabad by the workmen in the reference.

Ex. W3 23-5-84—Minutes of conciliation Meeting.

Ex. W4 7-6-84—Failure report sent by A.C.L. (C) Hyderabad to the Government of India.

Ex. W5 21-7-80—Bunch of counter foils remitting the amounts to the Officers Mess.

Documents marked for the Respondent

Ex. M1—Agreement between the Managing Committee and K.V. (Laxma Reddy).

नई दिल्ली, 19 फरवरी 1997

कां० अा 772.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डाक विभाग के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (नं०-1), बम्बई के पंचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-2-97 को प्राप्त हुआ था।

[गं० पत्र-40012/75/95-आई प्रार (डी यू.)]

के०वी०बी० उज्जनी, डैरक अधिकारी

New Delhi, the 19th February, 1997

S.O. 772.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, No. 2, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Department of Posts and their workman, which was received by the Central Government on the 19th February, 1997.

[No. L-40012/75/95-IR(DU)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, MUMBAI

PRESENT :

Shri S. B. Panse, Presiding Officer.

Reference No. CGIT-2/32 of 1996

Employers in relation to the management of Posts
AND

Their Workmen.

APPEARANCE :

For the Employer—Mr. B. M. Masurkar, Advocate.

For the Workmen—Mr. Jayprakash Sawant, Advocate.
Mumbai, dated 29th January, 1997

AWARD

The Government of India, Ministry of Labour by its Order No. L-40012/75/95-IR(DU) dated 27th June, 1996, had referred to the following Industrial Dispute for adjudication :

"Whether the action of the management of D/O Posts, Controller, Foreign Mills, Bombay in terminating the services of Shri Ramesh Daji Pawar is legal and justified? If not, to what relief the workman is entitled to?"

2. Ramesh Daji Pawar joined the Controller of Foreign Mails as a Hamal in the year 1985. He was drawing Rs. 1,800 as the salary. It is averred that without any justification his services were terminated w.e.f. 25th July, 1992.

3. The workman averred that Mrs. Tayde asked him to bring Tea/coffee/vade etc. on 24th July, 1992. He refused to bring the same as it was her personal work. She got angry and tried to remove him from service with the help of one Kashikar. It is pleaded that before termination no chargesheet was issued to the workman nor any departmental inquiry was conducted against him. He was not paid any retrenchment compensation nor any legal dues were given to him at the time of his termination. It is submitted that the employer has violated various provisions of the Industrial Act of 1947.

4. The workman averred that on receipt of a telegram from the management he attended the office at about 2.00 p.m. on 24th July, 1995. At that time the concerned officer forcefully taken signature of the workman on blank paper which was written in English. Thereafter he wrote a letter to the management mentioning all these facts on 4th August, 1995. It is prayed that for all these reasons he may be re-instated in service with full back wages alongwith other reliefs.

5. The management resisted the claim by the written statement Exhibit-5. It is averred that the postal department is not an industrial within the meaning of the work as defined under section 2(j) of the Industrial Disputes Act of 1947. and as such the Tribunal has no jurisdiction to decide the matter.

6. The management pleaded that the workman was engaged as a casual labourer in Foreign Post office on 11th December, 1985. He was paid the full wages. It is averred that when he was working as Hamal or was found that he was involved in a case of theft of contents of parcel No. 3776 received from Vain (Austria) and Destean to Kathmandu (Nepal). An investigation was carried out wherein the workman's involvement was confirmed. Hence his services

were terminated after giving him reasonable opportunity during the course of investigation while recording his statement. It is denied that this is a case of retrenchment and the workman is entitled to benefits, as claimed by him. It is averred that in view of the instructions issued from the Ministry of Labour to settle the dispute the worker was called in the office for discussion. The minutes of the meeting were recorded in writing and he signed the same. It is denied that his signatures were taken by using undue influence. Under such circumstances it is submitted that the worker is not entitled to any of the reliefs.

7. The issues are framed at Exhibit-7. The issues and my findings there on are as follows :

Issues	Findings
1. Whether the Tribunal has jurisdiction to decide the Reference?	No.
2. Whether there was any need to hold a departmental inquiry against the worker as he was a casual labourer?	Does not survive. If survives, Only opportunity is required to be given.
3. Whether there was need to follow any of the provisions of the retrenchment?	Does not survive.
4. Whether the action of the management in terminating the services of Ramesh Daji Pawar is legal and justified?	Does not survive.
5. If not, what relief the workman is entitled to?	Does not survive.

REASONS

8. It is not in dispute that Ramesh Pawar the workman was employed as a casual labour in the office of the Controller Foreign Mails department of posts, Mumbai in the year 1985. Admittedly he completed 240 days in the preceding two years and was entitled to be confirmed with a temporary status. He was also offered the post of sweeper vide letter dated 21st July, 1992.

9. Mr. Masurkar, the Learned advocate for the management relied upon the Joseph's case 1996(II) Supreme 487 and submitted that Posts and Telegraph is not an industry and therefore the Tribunal has no jurisdiction to decide the matter. As against this Mr. Jayprakash Sawant the Learned Advocate for the workman relied upon Bangalore Water Supply and Sewerage Board etc. V/s. Rajappa and Ors. 1978(3) SCR 207 and in the Hospital Mazdoor Sangh V/s. State 1960(II) SCR 866. According to him the observations in Joseph's case is as per incursum and it has not noticed necessary provisions of law and it does not interpret the law in harmony with the above said Judgement of the larger bench of the Supreme Court. I am not in agreement with the submissions made by Mr. Jayprakash Sawant. In Bangalore Water Supply and Hospital Mazdoor Sangh there is no direct finding, so far as whether the postal department is an industry or not.

10. Mr. Jayprakash Sawant, the Learned Advocate for the workman placed reliance on Chief Conservator of Forest and another etc. versus Jagannath Maruti Pandre 1996 LAB IC 967. The facts of that case are quite different than the facts before me. It concerns with the various department and not the postal department. It has no application to the present set of facts.

11. In Joseph's case Their Lordships observed "India as a sovereign socialist, secular democratic republic has to establish an egalitarian social order under rule of law. The welfare measures partake the character of sovereign functions and the traditional duty to maintain law and order is no longer the concept of the state. Directive principles of State

Policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty of the state is to provide telecommunication service to the general public and an amenity, and so is one essential part of the sovereign functions of the state as a welfare state. It is not, therefore an industry".

12. In view of the above stated authority there is a categorical finding of the Apex Court that Postal Department is not an industry. In view of that Judgment I held that the Tribunal has no jurisdiction to decide the reference.

13. It is admitted position that there was no charge-sheet issued to him nor any domestic inquiry was conducted against the workman. It is tried to submit that as the worker was casual one there was no question of any suspension and issuing of the charge-sheet. It could be seen that in view of the circular issued by the department itself he was to be absorbed in service as he completed 240 days. He acquired a temporary status. The management has produced a letter issued by Director dated 12th April, 1991 (Exhibit-6/2). In paragraph-11 it is mentioned that if the labourer with a temporary status committed a misconduct and the same is proved in the inquiry after giving him reasonable opportunity his services will be dispensed with. Here in this case no document is produced on the record to show that a reasonable opportunity was given to him. At Exhibit-6/3 minutes of discussion between workman and employer held on 24th July, 1995 were produced. After perusal of that minutes it cannot be said reasonable opportunity was given to the workman to give his submissions in the matter. I have already referred to the letter which categorically states that a reasonable opportunity has to be given to the worker having a temporary status. The record does not speak to that effect. There was a charge against the workman that he committed a theft. But no record is produced to show that there was some investigation and wherein a reasonable opportunity was given to the workman to defend the charges and he failed to do so. I therefore find that the action of the management of termination without giving him a reasonable opportunity is illegal and unjustified. No doubt he being a casual worker there is no question of having a full fledged departmental inquiry against him. But in view of the circular issued by the Director and the postal department it was necessary on the part of the concerned to give him an opportunity which appears to be not given to him.

14. Kashikar (Exhibit-9) Assistant Superintendent affirmed that statement of Tavade (Exhibit-6/1) was recorded at the time of investigation. From his testimony and from the testimony of Pathare (Exhibit-10) another Assistant Superintendent it cannot be said that the worker was given an opportunity to explain the allegations which were levelled against him. For all these reasons I record my findings on the points accordingly and pass the following order:

ORDER

The reference is disposed off for want of Jurisdiction.

S. B. PANSE, Presiding Officer

नई दिल्ली, 24 फरवरी, 1997

कांआ०. 773.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस डी ओ (डि) अदिलाबाद के प्रवन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अन्वंध में निर्दिष्ट औद्योगिक विवाद में डिप्टी सी० एल० ई० (सी०) के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-2-97 को प्राप्त हुआ था।

[मं० एल-40013/2/96-आई आर (डी यू)]
के०वी०बी० उण्णी, डैस्क अधिकारी

New Delhi, the 24th February, 1997

S.O. 773.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Arbitrator Dy. C.L.E.(C), Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SDO(T), Adilabad and their workman, which was received by the Central Government on 21-2-97.

[No. L-40013/2/96-I.R. (DU)]
K. V. B. UNNY, Desk Officer

ANNEXURE

ARBITRATION AWARD IN THE INDUSTRIAL DISPUTE BETWEEN THE SUB-DIVISIONAL OFFICER, TELECOM. ADILABAD AND ALL INDIA TELECOM EMPLOYEES' UNION, KARIMNAGAR OVER ALLEGED ILLEGAL TERMINATION OF SERVICES OF SHRI B. BABUJI. EXCASUAL LABOUR W.F.F. I-1-90

The Government of India, Ministry of Labour vide Notification No. 40013/2/96 TR(DU) dt. 13-8-96 (received in the Office of the Arbitrator on 26-8-96) referred the Industrial Dispute between SDO(T) Adilabad and All India Telecom Employees' Union Line & Staff & Group 'D' regarding "alleged illegal termination of the service of Shri B. Babuji, excasual labour w.e.f. 1-1-90.

Hearing in the above case was fixed on 14-10-96, 4-11-96, 15-11-96, 20-12-96, 7-1-97 and finally on 4-2-97 at Hyderabad. At this juncture, the representative of the workman intimated this office over telephone and telegram as follows:—

"B. Babuji, excasual mazdoor not pressing seeking employment in other department. Days not telling. I am withdrawing from the dispute no 1(2)/96/A2/Dy. CLC".

During the hearing fixed on 5-11-96 the workman and his representative were both absent. However, on behalf of the employer Shri D. Vijaya Kumar, SDO(T) Adilabad has stated that while the employee claimed that he has worked for 279 days, the records of the employer show that he has not worked for more than 242 days, he has no case of whatsoever.

During the hearing held on 20-12-96, while the management was absent, the representative of the workman alongwith worker was present. He produced some evidence to show that he has worked for more than 240 days during the period from 3-2-89 to 31-12-89.

Further, final hearing was therefore fixed on 4-2-97. But ultimately the representative of the workman has stated as above.

In view of the fact that the workman could not prove his claim based on evidence and instead has withdrawn from further proceedings, I give my Award that there is no case on behalf of the worker since not proved and therefore no relief to him is necessary.

Dated this 14th February 1997

K. RAMAKRISHNA, Dy. Chief Labour Commissioner
[Central]

नई दिल्ली, 25 फरवरी, 1997

कांआ०. 774.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूरसंचार विभाग के प्रवन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अन्वंध में निर्दिष्ट औद्योगिक

विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-2-97 को प्राप्त हुआ था।

[सं० एल-40012/80/90-आई आर (डी यू)]
के०वी०बी० उण्णी, डेस्क अधिकारी

New Delhi, the 25th February, 1997

S.O. 774.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Telecom Department, Agra and their workman, which was received by the Central Government on 25-2-97.

[No. L-40012/80/90-I.R.(DU)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 8 of 1991

In the matter of dispute :

BETWEEN :

Sri Rajbeer Singh,
through Sri Surender Singh,
2/236, Namnair,
Agra.

AND

1. Assistant Engineer (Cables)
Agra.
2. Asstt. Engineer (P&T) (R.E.)
Agra.

AWARD

1. Central Government, Ministry of Labour, New Delhi vide its notification No. L-40012/80/90-I.R. (D.U.) dated 31-1-91, has referred the following dispute for adjudication to this Tribunal :—

Whether the Asstt. Engineer (Cables) and Asstt. Engineer (P&T) (RE) are justified in terminating the services of Shri Rajbeer Singh, S/o Shri Vishambher Singh w.e.f. 27-10-88 ? If not, what relief the workman concerned is entitled to ?

2. It appears that the concerned workman has raised the instat industrial dispute in connection with his termination of his service.

3. It is unnecessary to give the detail of the case as the Hon'ble Supreme Court in case of Sub-Divisional Inspector versus Vaikam V. T. Joseph Lab. I.C. 1996 (1059) (SC) has held that Telecom Department is not an Industry. Hence this tribunal has no jurisdiction to determine the dispute. Accordingly the reference is returned unanswered.

Dated : 20th February, 1997.

Sd/- 20-2-97
B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 25 फरवरी, 1997

का०आ०. 775.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार दूरसंचार विभाग आगरा के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अन्वय में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण

कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-2-97 को प्राप्त हुआ था।

[सं० एल-40012/14/92-आई आर (डी यू)]
के०वी०बी० उण्णी, डेस्क अधिकारी

New Delhi, the 25th February, 1997

S.O. 775.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Telecom Department and their workman, which was received by the Central Government on the 25-2-1997.

[No. L-40012/14/92-I.R.(DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUS-
TRIAL TRIBUNAL-CUM-LABOUR COURT,
PANDU NAGAR, KANPUR

Industrial Dispute No. 134 of 1992

In the matter of dispute :

BETWEEN

Sri Man Singh,
through Sri Surendra Singh,
President,
I.N.T.U.C.,
2 236, Namnair,
Agra.

AND

Mandal Abhiyanta,
Door Sanchar (Niyojan),
Door Sanchar,
Agra.

AWARD

1. Central Government, Ministry of Labour, New Delhi vide its Notification No. L-40012/14/92-I.R.(D.U.) dated 20-11-92, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of Telecom Deptt. Agra in terminating the Services of Shri Man Singh, S/o Shri Hari Ram, Ex. Daily rated workman of SDO (T) Telecom Agra is justified ? If not, what relief the workman concerned is entitled to ?

2. It appears that the concerned workman has raised the instant industrial dispute in connection with his termination of his service.

3. It is unnecessary to give the detail of the case as the Hon'ble Supreme Court in case of Sub. Divisional Inspector versus Vaikam v T. Joseph Lab I.C. 1996(1059)(SC) has held that Telecom Department is not an Industry. Hence this tribunal has no jurisdiction to determine the dispute. According the reference is returned unanswered.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 28 फरवरी, 1997

का०आ० 776.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पोस्ट्स एंड टेलीग्राफ डिपार्टमेंट के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-97 को प्राप्त हुआ था।

[सं० एन-40012/44/88-डी-2 (बी)]

के०वी०वी० उष्णा, डेस्क अधिकारी

New Delhi, the 28th February, 1997

S.O. 776.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Posts & Telegraphs Department, and their workman, which was received by the Central Government on 27-2-1997.

[No. L-40012/44/88-D-2(B)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 112/89

In the matter of dispute :

BETWEEN

Shri Balbir Singh,
House No. 53, Village Dheerpur,
Nirankari Colony,
Delhi-9.

Versus

The Management of Posts & Telegraphs Department.

through its Superintendent,
North Division,
Civil Lines,
Delhi.

APPEARANCES :

Shri C. P. Aggarwal for the workman.

Shri M. K. Sharma on behalf of Sh. Anil Sehgal for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/44/88-D-2(B) dated nil has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the termination of services of Shri Balbir Singh, daily wager w.e.f. 13-1-87 by the Senior Superintendent, Post Offices, North Division, Civil Lines, Delhi is legal and justified and if not, to what relief is he entitled and what directions are necessary in this respect?"

2. Case of the workman as stated in his statement of claim was that he was taken into the employment as Safai Karamchhari on daily rate basis w.e.f. 15-5-85 and was posted at AshokVihar Post Office. His candidature was sponsored by the Employment Exchange. He worked from 15-5-85 to 3-11-85 in the said branch of the post office. Even on 4-11-85 he was transferred to Civil Lines Post Office where he worked upto 13-1-87. Though he was treated as daily rated casual/muster roll worker but was being paid wages as fixed and revised from time to time under the minimum wages Act. His other counter parts who were doing identical work were treated as regular employees and they were paid wages in the pay scale of Rs. 196-232 with usual allowance alongwith other benefits. The scale was revised to 750-940 w.e.f. 1-1-86. The services of the workman were terminated on 13-1-87 without assigning any valid reason. The termination was wholly illegal, unjust and mala fide on the ground that the job against which the workman was working was of regular and permanent nature and payment of less wages was unfair labour practice. It was further alleged that he has cleared status of permanent employee after completing 240 days of continuous employment and his juniors have since been retained in service. The action of the management in terminating his services was unjustified as no disciplinary proceedings were ever initiated or contemplated against him nor any domestic enquiry was conducted. He was also not given opportunity of being heard in violation of the principles of natural justice. The impugned termination was violative of section 25-F, G and H of the I.D. Act. Hence this reference for reinstatement with continuity of service and full back wages.

3. In the written statement it was alleged that the workman was appointed in a leave arrangement as the regular safaiwala was ordered to be served as night chowkidar. One Ram Phal was appointed as Safaiwala on 10-4-84 while the present workman was appointed on 16-5-85 and Ram Phal had become senior to the present workman Balbir Singh. His retrenchment was fully justified. On merits it was also alleged that since he had rendered surplus so his services were dispensed with. He was engaged as paid substitute only against absence of the regular safaiwala. It has been alleged that the case of the workman deserves to be dismissed.

4. The Management examined Shri C. L. Prabhakar MWI while the workman himself appeared as WWI. The representatives of the parties addressed arguments in this case but finally a ruling of the Hon'ble Supreme Court of India reported in 1996 I.L.R. 483 was filed by the management in which it was held that the department of P & T was not an "Industry". In that case it was held as follows :—

"Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide telecommunication service to the general public and on amenity and so is one essential part of the sovereign functions of the State as a welfare State. It is not, therefore, an industry".

5. In view of this situation no relief to the workman could be given under the provisions of the I.D. Act as the respondent management was not an "Industry" within the meaning of the I.D. Act. I therefore, hold that the case of the workman could not succeed in this court. He was, however, at liberty to go before any competent forum for redressal of his grievances. Parties are left to bear their own costs.

GANPATI SHARMA, Presiding Officer

February 7, 1997.

नई दिल्ली, 28 फरवरी, 1997

का० आ० 777.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आई०एन०एस० गारुडा, कोची के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में ग्राम न्यायालय, कोची के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-97 को प्राप्त हुआ था।

[संख्या एन-140012/25/93-आई आर (डी यू)]
के०वी०बी० उण्णी, डेस्क अधिकारी

New Delhi, the 28th February, 1997

S.O. 777.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Labour Court, Kochi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of INS Garuda, Kochi and their workman, which was received by the Central Government on 27-2-1997.

[No. L-14012/25/93-IR(DU)]
K. V. B. UNNY, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT LABOUR COURT,
FRNAKULAM

(Labour Court, Frnakulam)

(Tuesday, the 7th day of January, 1997)

PRESENT:

Shri Varghese T. Abraham, B.A., LL.M.,
Presiding Officer.

Industrial Dispute No. 10 of 1994(C)

BETWEEN

The Commanding Officer,
INS Garuda,

Cochin-682004.
(Kerala State).

AND

The General Secretary,
Southern Naval Command Civilian Employees Association,
Naval Base,
Cochin-682004,
(Kerala State).

REPRESENTATIONS:

M/s. K. P. Dandapani &
Sumathi Dandapani,
Advocates,
T. D. Road,
North End,
Kochi-35.
Sri M. Girejvallabhan,
Advocate,
SRM Road,
Kochi-18.

.....For Management

.....For Union

AWARD

The Government of India as per order No. L-14012/25/93-IR(DU) dated 30-9-94 referred the following industrial dispute for adjudication:

"Whether the action of the management of Commanding Officer, INS-Garuda, Naval Base, Cochin-682004 in stopping from the services of Shri C. P. Ramankutty w.e.f. 3-2-1992 at victualling store of INS-Garuda, workman concerned is entitled to?"

2. No instruction from workman and prays for dismissal (vide endorsement on the claim).

In the result, reference is answered holding that no industrial dispute is pending to be adjudicated.

Pronounced in open court on this the 7th day of January, 1997.

VARGHESE T. ABRAHAM, Presiding Officer
नई दिल्ली, 28 फरवरी, 1997

का० आ० 778.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं० 2, मुम्बई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-97 को प्राप्त हुआ था।

[सं० एन-16011/2/95-आई आर (डी यू)]
के०वी०बी० उण्णी, डेस्क अधिकारी

New Delhi, the 28th February, 1997

S.O. 778.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, No. 2, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of India Govt. Mint and their workman, which was received by the Central Government on 27-2-1997.

[No. L-16011/2/95-IR(DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2, MUMBAI
PRESENT

SHRI S. B. PANSE

PRESIDING OFFICER

Reference No. CGIT-2/30 of 1995

Employers in relation to the Management of
India Government Mint, Bombay

AND

Their Workmen

APPEARANCE :

For the management : Mr. B. M. Masurkar
Advocate.For the workmen : Mr. S. M. Dharap.
Advocate.

MUMBAI, dated 11th February, 1997.

AWARD

The Government of India, Ministry of Labour by its order No. L-216011/72/95-IR(DU), dated 29th November, 1995 had referred to the following Industrial Dispute for adjudication :—

“Whether the action of the management of India Government Mint, Bombay in effecting a change in working hours from 37½ hours to 44 hours, is legal and justified? If not to what relief the workmen are entitled?”.

2. The General Secretary, Tanksal Mazdoor Sabha, Mumbai filed a statement of claim at Exhibit-4. It is contended that since beginning the Mint at Bombay the normal working hours (weekly) of the employees are 37½ hours. Whenever they worked beyond 37½ hrs. they have been given overtime allowance for the additional hours of work. It is submitted that on non payment of such overtime the employees filed different petitions in the court. Later on moved the High Court and got the relief.

3. The union pleaded that on January, 16, 1989 the General Manager of the Mint issued notice under section 9A of the Industrial Disputes Act of 1947 informing that the change in the working hours was proposed as per the Annexure of the notice. The proposed change was from 37½ hrs. to 44 hrs. a week. The Sabha immediately raised an objection. It gave a reply on 21-1-1988,

4. On receipt of the reply and objection to the notice of change the dispute was admitted in conciliation by the conciliation office. On 14-6-88 it was decided that the notice of change would be kept in abeyance and the parties signed the proceedings.

5. The said proceeding referred to incentives and it has no relevance to the incentive scheme. Ultimately both the parties agreed to maintain a status quo without prejudice to their rights and contentions to await the decision of the Calcutta High Court on similar matter filed in writ petition before them by the workmen organisation of the Government of India, Allipur, Mint.

6. Till 14-6-88 there was no change of working hours. On 28-3-92 all of a sudden the notice came to be issued by the General Manager of the Government of India, Mint stating that as per the direction from the Ministry of Finance regarding revision of normal working hours from 37½ hours to 44 hours per week following the acceptance by the Government of India of the Fourth Pay Commission recommendations the notice was issued. It was under Form No. 16, Rule-98 appearing to be under the Factories Act of 1948. The Sabha immediately replied the same. It is contended that the notice is not proper. No notice under section 9A of the Industrial Disputes Act is issued and requested that the notice should be withdrawn. It also gave a notice of strike on that issue.

7. During the pendency of the conciliation the Sabha was advised to approach the Central Administrative Tribunal. There the Tribunal was pleased to grant interim relief restraining the Government of India, Mint to introduce any change during the pendency of conciliation proceeding and for further period after the reference is made or rejected.

8. The Sabha pleaded that the notice dated 28-3-92 is totally illegal, unjust and improper. It is pleaded that the notice under section 9A has to be given while effecting the change in the working hours. It is further pleaded that the notice dated 16-1-88 has died its own death alongwith its settlement which was arrived at from the conciliation proceedings before the Conciliation Officer while agreeing to maintain the status quo. It is pleaded that the matter is still pending before the Calcutta High Court. It is further contended that the recommendation of Fourth Pay Commission even if accepted they do not warrant an increase in the working hours of these employees. For all these reasons it is prayed that the reference may be answered in favour of the workman and the proposed notice under the Factories Act dated 28-3-92 may be quashed and set aside and the Tribunal may held that the said change being illegal, unjust and improper cannot be given effect to.

9. The management resisted the claim by the written statement Exhibit-5. It is denied that the notice dated 16-1-88 regarding change of working hours is no longer in force. It is submitted that while the conciliation proceedings regarding the notice dated 16-1-88 were still in progress and not ended the management wanted to implement the proposed change of timing by issuing a second notice dated 23-3-92 purporting to be under the Factories Act of 1948. This notice was never published as the union started an agitation and prevented the management from publishing the notice on the notice board. It is averred that the present dispute is relating to the notice dated 16-1-88 and no dispute was raised pertaining to the notice dated 23-3-92 under the Industrial Disputes Act of 1947. It is averred that so far as the employers knowledge goes the single Judge of the Hon'ble Calcutta High Court has dismissed the writ petition alongwith all interim order on the ground that it has no Jurisdiction to entertain in view of the provisions of the Administrative Tribunals Act 1985. Besides the grievance of the Sabha the present case is about the alleged notice proposed to be given under the Factories Act. As stated above the notice was never been published and therefore has never come into operation.

10. It is pleaded that the decision to increase the working hours from 37½ hours to 44 hours per week is based on the recommendations of the Fourth Pay Commission and also to remove the disparities in the working hours existing in the Mints press and paper mills under the control of the Ministry of Finance. It is further contended that the Fourth Pay Commission had recommended the revised six hours of work for Mint under the impression that the normal working hours of Mint and press are 44 hours per week which becomes clear when para 10.147 is read with para-26.6 of the Fourth Pay Commission report. The employees have accepted the wage revision but are resisting increased hours of work, which is not permissible. It is submitted that under such circumstances the Tribunal is competent to adjudicate upon the dispute raised against the action of the management in changing the working hours of the Mint from 37½ hours to 44 hours by notice dated 16-1-1988. The Sabha filed a rejoinder at Exhibit-6. It is submitted that an appeal was preferred against the order of Single Judge of the High Court of Calcutta and interim orders staying the change were obtained by the Division Bench of the Calcutta High Court. It is submitted that the contention in respect of the Fourth Pay Commission in the written statement are relevant.

11. The issues that fall for my consideration and my findings there on are as follows:—

Issues	Findings
1. Whether the management of India Government, Mint, Bombay is effecting the	No.

change in the working hours from 37½ hrs. to 44 hours?

2. If yes, to what relief the workmen are entitled to? Does not survive.

REASONS

12. V. T. Bhaste General Secretary of the Saha filed his affidavit at Exhibit-18 and 28. He is duly cross-examined. As against that R. K. Mangwani (Exhibit-27) examined himself for the management.

13. Mangwani in categorical term affirmed on the basis of the reports given by the security officer that the notice dated 28-3-92 was never published. Bhatse did affirm that they received a copy of the same in the unions office and it was published on the notice board. But when the management says that it was not published there is no reason to accept the contention. The reason is that while affecting the change they intended to publish such a notice. As they have not published it they cannot effect and change.

14. The parties have filed written arguments. Exhibit-33 is the written arguments on behalf of the management. The last paragraph reads "I would like to submit that since the notice purporting to be under Factories Act has not yet been issued there is no immediate prospect to introducing the revised working hours and as such this reference is infructitious and hence has to be rejected." That clearly shows the intention of the management that unless the notice purporting to be under the Factories Act is issued they do not intend to effect the change.

15. Mr. Dharap, the Learned Advocate for the union tried to submit that the notice dated 16-1-88 has died its own death. As against that it is submitted on behalf of the management that it is a wrong statement. But from the documents which are filed by the union it appears that the dispute which was raised by another union in the Calcutta High Court is still pending. At the time of conciliation the parties agreed to wait till the decision of the Calcutta High Court and thereafter the notice was kept in abeyance. Infact while deciding this reference there is no need for me to dialect much on the subject whether the notice dated 16-1-88 is in abeyance or not. What is to be seen here is whether the management is effecting the change without due process of law. Here there is an assurance in writing by way of written argument that they are not effecting the change as not notice under the Factories Act is issued. It is needless to say that the management is required to issue due notice to the concerned parties while effecting the change mentioned in the reference. Under such circumstances I record my findings on the points accordingly and pass the following order :—

ORDER

The reference is infructitious. The management of India Government Mint, Bombay is not effecting the change in the working hours from 37½ hours to 44 hours immediately.

S. B. PANSE, Presiding Officer

नई दिल्ली, 28 फरवरी, 1997

का०आ०. 779.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुकरण में, केन्द्रीय सरकार केन्द्रीय अरिड जोन रिसर्च इंस्टिट्यूट, पाली के प्रबन्ध-तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-97 को प्राप्त हुआ था।

[सं० एल-42012/38/87-आई आर डी II (बी)]

के०वी०बी० उर्ज़ा, डेस्क अधिकारी

New Delhi, the 28th February, 1997

S.O. 779.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Arid Zone Research Institute, Pali and their workman, which was received by the Central Government on 27-2-1997.

[No. L-42012/38/87-IRD.II (B)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 143/88

In the matter of dispute :

BETWEEN

Shri Kheta Ram S/o Shri Naga Ji,
C/o General Secretary,
Rashtriya Laghu Udyog Mazdoor Sangh,
46-D Gandhi Nagar, Pali Marwar (Rajasthan).

Versus

The Officer Incharge,
Central Arid Zone Research Instt.
Pali (Raj.).

APPEARANCES :

None—for the Parties.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-42012/38/87-D.II (B) dated Nil has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the Central Arid Zone Research Institute, Pali in terminating the Services of Shri

Kheta Ram S/o Naga Ji, Ex-Labour with effect from 21-4-85 is just and legal ? If not, to what relief is the concerned worker entitled to ?"

2. The case of the workman as stated in the statement of claim was that he was appointed in 1965 by oral orders by the Management. His services were terminated first time in 21-4-85. The workman has remained in continuous employment of the management from 1965 to 20-4-85. As per terms of Section 25-B of the I.D. Act, no notice, notice pay or compensation was paid to the workman at the time of termination. The termination of the workman was rather against law and natural justice. The workman has prayed that his termination may be declared illegal and he be reinstated with full back wages.

3. The management alleged in the written statement that the workman was taken into employment by oral orders and was informed that his services could be terminated at any time. The allegations made by the workman in statement of claim that he was continuously working from 1965 to 20-4-85 was not correct. The workman being a casual worker was engaged for casual jobs on daily basis. The workman has wrongly stated the violation of Section 25-F of the I. D. Act. In fact this provision was not applicable to him. There was no violation of any law nor principles of natural justice. The workman was not entitled to reinstatement.

4. The Management examined Shri R. C. Bhandari MW-1 while the workman appeared as WW-1.

5. I have heard the representatives for the parties and have gone through the record.

6. The representative for the management has stated that the workman in his own statement admitted that there was no work available so he was disengaged. He also admitted that he used to be disengaged during the period and used to stay at home. He has further urged that the management evidence comprised in affidavit Ex. MW-1/1 and the statement on oath of Shri R. C. Bhandari clearly establish that this was a job against the project and with the expiry of the period of project, the employee used to be disengaged. He has also given list of working days for which the workman had worked with the management.

7. The workman representative on the other hand has urged that the case of the workman was duly proved and the provisions of the I. D. Act were applicable to him because when his services were terminated earlier. He has further urged that his services were terminated by the management and the management has itself admitted that no notice pay/notice or compensation was ever provided to the workman.

8. After having gone through the record produced by the parties, I am of the opinion that there was violation of the provisions of the I. D. Act by the Management in this case. The workman had continuously been working with the management since 1965 and till the year 1985 he worked for more than 240 days. The management which was a Government of India Undertaking should have complied with the legal requirements and engagement of person by verbal orders and their termination verbally was not expected from such an organisation. In this regard reference can be made to the judgment of the Hon'ble High Court of Rajasthan in which it was held as follows :—

"Verbal order terminating services of petitioner without making compliance of Section 25-F is non est and void—Order set aside and petitioner reinstated—Petitioner directed to approach Industrial Court/Court under Section 33-C for back wages."

9. The Hon'ble Supreme Court in D. K. Yadav Vs. J.M.A. Industries Ltd. reiterated its earlier stand that "the definition retrenchment in Section 2(oo) of the I. D. Act is a comprehensive one intended to cover any action of the Management to put an end to the employment of an employee for any reason whatsoever and also further held that the 'retrenchment' means termination by the employer the services of a workman for any reason whatsoever except those expressions mentioned in the Section."

10. In Rama Krishana Ram Nath Vs. Presiding Officer Labour Court 1970-3-S.C.C. 67 it was held as follows :

"A workman after satisfying the test under Section 25-B need not further show that he was worked during all the period he has been in the service of the employer for 240 days in a year."

11. Keeping in view the above citations of the different High Courts and the Hon'ble Supreme Court, I am of the considered view that the disengagement of the workman amounted to retrenchment for which no notice or notice pay was given to the workman by the Management.

12. Keeping in view all the circumstances of this case and the nature of the job the management is doing, I am of the opinion that since the termination of the workman was as old as about 10 years and it cannot be ascertained that the workman remained unemployed throughout, I feel that a lump-sum compensation of the payment will meet the ends of justice. I, therefore, order the management to pay a sum of Rs 10,000 in lump sum to the workman within three months of this order failing which the workman shall be entitled to interest @ 12% till final payment.
Dated : 12th February, 1997

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 28 फरवरी, 1997

कां० 780.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार केन्द्रीय ग्रिड जोन रिमर्च इंस्टीट्यूट, पाली के प्रबन्ध-तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-2-97 को प्राप्त हुआ था।

[सं० एल-42012/37/87-डी-II (बी)]

के०बी०बी० उन्नी, डैस्क अधिकारी

New Delhi, the 28th February, 1997

S.O. 780.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the industrial dispute between the employers in relation to the management of Central Arid Zone Research Institute, Pali and their workman, which was received by the Central Government on the 27-2-1997.

[No. L-42012/37/87-D.II (B)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 142/88

In the matter of dispute :

BETWEEN

Shrimati Goriya through

The General Secretary,
Rashtriya Laghu Udyog Mazdoor Sangh,
46-D, Gandhi Nagar, Pali-Marwar (Rajasthan)

Versus

Office Incharge.

Central Arid Zone Research Institute,
Pali (Rajasthan).

APPEARANCES :

None—for the parties.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-42012/37/87-D.II (B) dated 9-12-88 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Central Arid Zone Research Institute Pali in terminating the services of Smt. Goriya W/o Shri Somya Labourer at their farm at Pali w.e.f. 1-11-1986 is justified? If not, to what relief is the worker entitled?"

2. The case of the workman as stated in the statement of claim was that she was appointed in 1977 by oral orders by the Management. Her services were terminated first time in 1986 and the workman took up the matter of termination before Assistant Labour Commissioner, Ajmer. Settlement was arrived at and the workman was not taken back. The workman has remained in continuous employment of the management from 1977 to 30-11-86. As per terms of Section 25-B of the I. D. Act, no notice, notice pay or compensation was paid to the workman of the time of termination. The termination of the workman was rather against law and natural justice. The workman has prayed that his termination may be declared illegal and he be reinstated with full back wages.

3. The management alleged in the written statement that the workman was taken into employment by oral orders and was informed that her service could be terminated at any time. On 30-11-86 the workman left the job and went away and thereafter she took the dispute to the Assistant Labour Commissioner, Ajmer. The settlement arrived at there was not made by any competent authority and, thereafter, the Management was not bound by that. It was further alleged that after the settlement the workman took up seasonal job. After the work the daily rated employee left the job and this amounted to violation of the rules of the management and discipline. She used to be careless and irresponsible. The allegations made by the workman in statement of claim that she was continuously working from 1977 to 1986 was not correct. The workman being a casual worker was engaged for casual jobs on daily basis. The workman has wrongly stated the violation of Section 25-F of the I. D. Act. In fact this provision was not applicable to her. There was no violation of any law nor principles of natural justice. The workman was not entitled to reinstatement.

4. The Management examined Shri R. C. Bhandari MW-1 while the workman appeared as WW-1.

5. I have heard the representatives for the parties and have gone through the record.

6. The representative for the management has stated that the workman in her own statement admitted that there was no work available so she was disengaged. She also admitted that she used to be disengaged during the period and used to stay at home. She had further urged that the management evidence comprised in affidavit Ex. MW-1/1 and the statement on oath of Shri R. C. Bhandari clearly establish that this was a job against the project and with the expiry of the period of projects. The employee used to be disengaged.

7. The workman representative on the other hand has urged that the case of the workman was duly proved and the provisions of the I. D. Act were applicable to her. She further stated that her services were terminated by the management and the management has itself admitted that no notice pay/notice or compensation was ever provided to the workman.

8. After having gone through the record produced by the parties. I am of the opinion that there was violation of the provisions of the I. D. Act by the Management in this case. The workman had continuously been working with the management since 1977 and her services have been terminated from 30-11-86 and by that times she had worked for more than 240 days. The management which was a Government of India Undertaking should have complied with the legal requirements and engagement of person by verbal orders and their termination verbally was not expected from such an organisation. In this regard reference can be made

to the judgment of the Hon'ble High Court of Rajasthan in which it was held as follows :—

"Verbal order terminating services of petitioner without making compliance of Section 25-F is non est and void—Order set aside and petitioner reinstated—Petitioner directed to approach Industrial Court/Labour Court under Section 33-C for back wages."

9. The Hon'ble Supreme Court in *D. K. Yadav Vs. J.M.A. Industries Ltd.* reiterated its earlier stand that "the definition retrenchment in Section 2(oo) of the I. D. Act is a comprehensive one intended to cover any action of the Management to put an end to the employment of an employee for any reason whatsoever and also further held that the 'retrenchment' means termination by the employer the services of a workman for any reason whatsoever except those expressions mentioned in the Section."

10. In *Rama Krishna Ram Nath Vs. Presiding Officer Labour Court 1970-3-S.C.C. 67* it was held as follows :

"A workman after satisfying the test under Section 25-B need not further show that he worked during all the period he has been in service of the employer for 240 days in a year."

11. Keeping in view the above citations of the different High Courts and the Hon'ble Supreme Court, I am of the considered view that the disengagement of the workman amounted to retrenchment for which no notice or notice pay was given to the workman by the Management.

12. Keeping in view all the circumstances of this case and the nature of the job the management is doing, I am of the opinion that since the termination of the workman was as old as about 10 years and it cannot be ascertained that the workman remained unemployed throughout, I feel that a lump-sum compensation of the payment will meet the ends of justice. I, therefore, order the management to pay a sum of Rs. 10,000 in lump sum to the workman within three months of this order failing which the workman shall be entitled to interest @ 12% till final payment.

Further it is ordered that the requisite number of copies of this award may be forwarded to the Central Government for necessary action at their end.
Dated : 11th February, 1997.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 28 फरवरी, 1997

का.अ. 781.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल अरिड जोन रिसर्च इंस्टीट्यूट के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-97 को प्राप्त हुआ था।

[सं. एल-42012/68/88-डी-2(बी)]

के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 28th February, 1997

S.O. 781.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Arid Zone Research Institute and their workman, which was received by the Central Government on 27-2-97.

[No. L-42012/68/88-D.2(B)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 53/89

In the matter of dispute :

BETWEEN

Shri Nainaram S/o Nagaji, ex-Labourer, through Secretary, Central Maru Research Institute Mazdoor Sangh, Subhash Nagar, Pali-Marwar-306401 (Rajasthan).

Versus

Officer Incharge/Head, Central Arid Zone Research Institute, (R.R.S.) Pali-Marwar (Rajasthan).

APPEARANCES :

None—for the Parties.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-42012/68/88-D-2(B) dated 26th May, 1989 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Central Arid Zone Research Institute, Pali in terminating the services of Shri Nainaram S/o Nagaji, ex-Labourer with effect from 1-5-87 is just and legal ? If not, to what relief the workman is entitled to ?"

2. The case of the workman as stated in the statement of claim was that he was appointed in 1979 by oral orders by the Management. His services were terminated first time in 1984 and the workman took up the matter of termination before Assistant Labour Commissioner, Ajmer. Settlement was arrived at and the workman was taken into employment w.e.f. 1-7-86. Again on 1-5-87 his services were terminated and the matter was again taken to the Assistant Labour Commissioner but no settlement could be arrived at. The workman has remained in continuous employment of the management from 1970 to 1-5-87 as per terms of Section 25-B of the I.D. Act. No notice, notice pay or compensation was paid to the workman at the time of termination. The termination of the workman was rather against law and natural justice. The workman has prayed that his termination may be declared illegal and he be reinstated with full back wages.

3. The management alleged in the written statement that the workman was taken into employment by oral orders and was informed that his services

could be terminated at any time. In 1984 the workman left the job and went away and thereafter he took the dispute to the Assistant Labour Commissioner, Ajmer. The settlement arrived at there was not made by any competent authority and, therefore, the Management was not bound by that. It was further alleged that in July, 1986 after the settlement the workman took up seasonal job. After the work the daily rated employee left the job and this amounted to violation of the rules of the management and discipline. He used to be careless and irresponsible. In 1986, the workman again left without any intimation to the management. The allegations made by the workman in statement of claim that he was continuously working from 1977 to 1987 was not correct. The workman being a casual worker was engaged for casual jobs on daily basis. The workman has wrongly stated the violation of Section 25-F of the I.D. Act. In fact this provision was not applicable to him. There was no violation of any law nor principles of natural justice. The workman was not entitled to reinstatement.

4. The Management examined Shri R. C. Bhandari MW1 while the workman appeared as WW1.

5. I have heard the representative for the parties and have gone through the record.

6. The representative for the management has stated that the workman in his own statement admitted that there was no work available so he was disengaged. He also admitted that he used to be disengaged during the period and used to stay at home. He has further urged that the management evidence comprised in affidavit Ex. MW-111 and the statement on oath of Shri R. C. Bhandari clearly establish that this was a job against the project and with the expiry of the period of project. The employee used to be disengaged. He has also given list of working days for which the workman had worked with the management.

7. The workman representative on the other hand has urged that the case of the workman was duly proved and the provisions of the I.D. Act were applicable to him because when his services were terminated earlier he had gone to the Assistant Labour Commissioner for settlement and settlement was arrived at with the Management. He has further urged that his services were terminated by the management and the management has itself admitted that no notice pay/notice or compensation was ever provided to the workman.

8. After having gone through the record produced by the parties, I am of the opinion that there was violation of the provisions of the I.D. Act by the Management in this case. The workman had continuously been working with the management since 1973 and in the year 1981 he worked for 277 days in 1982 to 278 in 1983, 289 days and his services were terminated in 1984. He was

again reinstated and he worked in 1986 for 156 days while in 1987 he worked for 103 days. His services have been terminated from 1-5-87 and by that time he had worked for days. The management which was a Government of India Undertaking should have complied with the legal requirements and engagement of person by verbal orders and their termination verbally was not expected from such an organisation. In this regard reference can be made to the judgment of the Hon'ble High Court of Rajasthan in which it was held as follows :—

“Verbal order terminating services of petitioner without making compliance of Section 25-F is non est and void—Order set aside and petitioner reinstated—Petitioner directed to approach Industrial Court/Labour Court under Section 33-C for back wages.”

9. The Hon'ble Supreme Court in D. K. Yadav Vs. J. M. A. Industrial Ltd. reiterated its earlier stand that the definition retrenchment in Section 2(ee) of the I.D. Act is a comprehensive one intended to cover any action of the Management to put an end to the employment of an employee for any reason whatsoever and also further held that the 'retrenchment' means termination by the employer the services of a workman for any reason whatsoever except those expressions mentioned in the Section.”

10. In Rama Krishana Ram Nath Vs. Presiding Officer Labour Court 1970-3-S.C.C. 67 it was held as follows :

“A workman after satisfying the test under Section 25-B need not further show that he was worked during all the period he has been in the service of the employer for 240 days in a year”.

11. Keeping in view the above citations of the different High Courts and the Hon'ble Supreme Court I am of the considered view that the disengagement of the workman amounted to retrenchment for which no notice or notice pay was given to the workman by the Management.

12. Keeping in view all the circumstances of this case and the nature of the job the management is doing, I am of the opinion that since the termination of the workman was as old as about 10 years and it cannot be ascertained that the workman remained unemployed throughout I feel that a lump-sum compensation of the payment will meet the ends of justice. I, therefore, order the management to pay a sum of Rs. 10,000 in lump sum to the workman within three months of this order failing which the workman shall be entitled to interest @ 12% till final payment.

10th February, 1997

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 28 फरवरी, 1997

का.सं. 782.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेटुल अरिड जोन रिसर्च इन्स्टीट्यूट के प्रबन्धनत्व के संबद्ध नियोज्ज्वों और उनके कर्मचारों के बीच, अनुवध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-97 को प्राप्त हुआ था।

[सं. एन-42012/68/88-डी-2 (बी)]

केन्द्रीय उद्योग, टैरक अधिकारी

New Delhi, the 28th February, 1997

S.O. 782.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the industrial dispute between the employer in relation to the management of Central Arid Zone Research Instt. and their workman, which was received by the Central Government on 27-2-97.

[No. L-42012/68/88-D-2(B)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI CANPATI SHRAMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL.

NEW DELHI

I.D. No. 139/88

In the matter of dispute :

BETWEEN :

Smt. Kukoo through General Secretary,
Central Laghu Udyog Mazdoor Sangh.
46-D, Gandhi Nagar, Pali-Marwar (Rajasthan).

Versus

Officer-in-Charge,
Central Arid Zone Research Institute,
Pali (Rajasthan).

APPEARANCES :

None—for the parties.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-42012/68/88-D-2(B) dated 26th May, 1989 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of Central Arid Zone Research Institute, Pali in terminating the services of Smt. Kukoo W/o Shri Naina labourer at their farm at Pali w.e.f. 31-12-85 is justified? If not, to what relief is the worker entitled?”

2. The case of the workman as stated in the statement of claim was that he was appointed in 1977 by oral orders by the Management. His services were terminated first time in 1985 and the workman took up the matter of termination before Assistant Labour Commissioner, Ajmer. Settlement was arrived at and the workman was taken into employment w.e.f. 1. The workman has remained in continuous employment of the management from 1977 to 31-12-85. As per terms of section 25-B of the I.D. Act. No notice, notice pay of compensation was paid to the workman at the time of termination. The termination of the workman was rather against law and natural justice. The workman has prayed that his termination may be declared illegal and he be reinstated with full back wages.

3. The management alleged in the written statement that the workman was taken into employment by oral orders and was informed that his services could be terminated at any time. In 1984 the workman left the job and went away and thereafter he took the dispute to the Assistant Labour Commissioner, Ajmer. The settlement arrived at there was not made by any competent authority and, therefore, the Management was not bound by that. It was further alleged that in July, 86 after the settlement the workman took up seasonal job. After the work the daily rated employee left the job and this amounted to violation of the rules of the management and discipline. She used to be careless and irresponsible. The allegations made by the workman in statement of claim that she was continuously working from 1977 to 1985 was not correct. The workman being as casual worker was engaged for casual jobs on daily basis. The workman has wrongly stated the violation of section 25-F of the I.D. Act. In fact this provision was not applicable to him. There was no violation of any law nor principles of natural justice. The workman was not entitled to reinstatement.

4. The Management examined Shri R. C. Bhandari MW1 while the workman appeared as WW1.

5. I have heard the representatives for the parties and have gone through the record.

6. The representative for the management has stated that the workman in his own statement admitted that there was no work available so she was disengaged. He also admitted that she used to be disengaged during the period and used to stay at home. He has further urged that the management evidence comprised in affidavit Ex. MW-1/1 and the statement on oath of Shri R. C. Bhandari clearly establish that this was a job against the project and with the expiry of the period of project. The employee used to be disengaged. He has also given list of working days for which the workman had worked with the management.

7. The workman representative on the other hand has urged that the case of the workman was duly proved and the provisions of the I.D. Act were applicable to him because when his services were terminated earlier he had gone to the Assistant Labour Commissioner for settlement and a settlement was arrived at with the Management. He has further urged that his services were terminated by the management and the management has itself admitted that no notice pay/notice or compensation was ever provided to the workman.

8. After having gone through the record produced by the parties, I am of the opinion that there was violation of the provisions of the I.D. Act by the Management in this case. The workman had continuously been working with the management since 1977 and till 1985 she had worked for more than 240. The management which was a Govt. of India Undertaking should have complied with the legal requirements and engagement of person by verbal orders and their termination verbally was not expected from such an organisation. In this regard reference can be made to the judgment of the Hon'ble High Court of Rajasthan in which it was held as follows :—

“Verbal order terminating services of the petitioner without making compliance of S. 25-F is non est and void—Order set aside and petitioner reinstated—Petitioner directed to approach Industrial Court/Labour Court under S. 33-C for back wages.”

9. The Hon'ble Supreme Court in D. K. Yadav Vs. J.M.A. Industries Ltd. reinstated its earlier stand that “the definition retrenchment in section 2(oo) of the I.D. Act is a comprehensive one intended to cover any action of the Management to put an end to the employment of any employee for any reason whatsoever and also further held that the ‘retrenchment’ means termination by the employer the services of a workman for any reason whatsoever except those expressions mentioned in the Section.”

10. In Rama Krishana Ram Nath Vs. Presiding Officer Labour Court 1970-3-S.C.C. 67 it was held as follows :—

“A workman after satisfying the test under section 25-B need not further show that he was worked

during all the period he has been in the service of the employer for 240 days in a year".

11. Keeping in view the above citations of the different High Courts and the Hon'ble Supreme Court, I am of the considered view that the disengagement of the workman amounted to retrenchment for which no notice or notice pay was given to the workman by the Management.

12. Keeping in view all the circumstances of this case and the nature of the job the management is doing, I am of the opinion that since the termination of the workman was as old as about 10 years and it cannot be ascertained that the workman remained unemployed throughout, I feel that a lump sum compensation of the payment will meet the ends of justice. I, therefore, order the management to pay a sum of Rs. 10000 in lump sum to the workman within three months of this order failing which the workman shall be entitled to interest @ 12% till final payment.

dated : 13th February, 1997.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 28 फरवरी, 1997

कां० अा० 783.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैन्युअल अरिड जोन रिसर्च इन्स्टीट्यूट के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-97 को प्राप्त हुआ था।

[सं० एन-42012/34/87-डी-2(बी)]
के०वी०बी० उन्नी, डेस्क अधिकारी

New Delhi, the 28th February, 1997

S.O. 783.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Arid Zone Research Institute and their workman, which was received by the Central Government on the 27th February, 1997.

[No. L-42012/34/87-D-2(B)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 140/88

In the matter of dispute between :

Shrimati Meera w/o Shri Shankar Labourer
through General Secretary,
Rashtriva Laahu Mazdoor Sangh,
46-D, Gandhi Nagar, Pali-Marwar (Rajasthan).

Versus

Officer-in-Charge,

Central Arid Zone Research Institute,
Research Farm, Pali.

APPEARANCES :

None for the workman.

AWARD

The Central Government in the Ministry of Labour vide its Order No. 42012/34/87-D-2(B) dated 8th December, 1988 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Central Arid Zone Research Institute, Pali in terminating the services of Smt. Meera w/o Shri Shankar Labourer at their farm at Pali w.e.f. 1st October, 1986 is justified? If not, to what relief is the worker entitled?"

2. The case of the workman as stated in the statement of claim was that she was appointed in 1977 by oral orders by the Management. Her services were terminated first time in 1st October, 1986 and was not taken back. The workman remained in continuous employment of the management from 1977 to 30th September 1986. As per terms of section 25-B of the I.D. Act no notice, notice pay or compensation was paid to the workman at the time of termination. The termination of the workman was rather against law and natural justice. The workman has prayed that her termination may be declared illegal and she be reinstated with full back wages.

3. The management alleged in the written statement that the workman was taken into employment by oral orders and was informed that her services could be terminated at any time. It was further alleged that in 1986 after the settlement the work took up seasonal job. After the work the daily rated employee left the job and this amounted to violation of the rules of the management and discipline. He used to be careless and irresponsible. The allegations made by the workman in statement of claim that she was continuously working from 1977 to 1986 was not correct. The workman being a casual worker was engaged for casual jobs on daily basis. The workman has wrongly stated that the violation of section 25-F of the I.D. Act. In fact this provision was not applicable to him. There was no violation of any law nor principles of natural justice. The workman was not entitled to reinstatement.

4. The Management examined Shri R. C. Bhandari MW1 while the workman appeared as WW1.

5. I have heard the representatives for the parties and have gone through the record.

6. The representative for the management has stated that the workman in his own statement admitted that there was no work available so she was disengaged. She also admitted that he used to be disengaged during the period and used to stay at home. She has further urged that the management evidence comprised in affidavit Ex. MW1/1 and the statement on oath of Shri R. C. Bhandari clearly establish that this was a job against the project and with the expiry of the period of project. The employee used to be disengaged. She has also given list of working days for which the workman had worked with the management.

7. The workman representative on the other hand has urged that the case of the workman was duly proved and the provisions of the I.D. Act were applicable to her. He has further urged that her services were terminated by the management and the management has itself admitted that no notice pay/notice or compensation was ever provided to the workman.

8. After having gone through the record produced by the parties, I am of the opinion that there was violation of the provisions of the I.D. Act by the Management in this case. The workman had continuously been working with the management since 1977 and till 1986 she worked for more than 240 days. The management which was a Government of India Undertaking should have complied with the legal requirements and engagement of person by verbal orders and their termination verbally was not expected from such an organisation. In this regard reference can be made to the judgment of the Hon'ble High Court of Rajasthan in which it was held as follows :—

"Verbal order terminating services of petitioner without making compliance of S. 25-F is non-est and void order set aside and petitioner reinstated.—Petitioner directed to approach Industrial Court/Labour Court under S. 33-C for back wages."

9. The Hon'ble Supreme Court in D. K. Yadav Vs. J.M.A. Industries Ltd. reiterated its earlier stand that the definition retrenchment in section 2(oo) of the I.D. Act is a comprehensive one intended to cover any action of the Management to put an end to the employment of an employee for any reason whatsoever and also further held that 'retrenchment' means termination by the employer the services of a workman for any reason whatsoever except those expressions mentioned in the Section."

10. In Rama Krishna Ram Nath Vs. Presiding Officer Labour Court 1970-3-S.C.C. 67 it was held as follows :

"A workman after satisfying the test under section 25-B need not further show that he was working during all the period he has been in the service of the employer for 240 days in a year."

11. Keeping in view the above citations of the different High Courts and the Hon'ble Supreme Court, I am of the considered view that the disengagement of the workman amounted to retrenchment for which no notice or notice pay was given to the workman by the Management.

12. Keeping in view all the circumstances of this case and the nature of the job the management is doing, I am of the opinion that since the termination of the workman was as old as about 10 years and it cannot be ascertained that the workman remained unemployed throughout. I feel that a lump-sum compensation of the payment will meet the ends of justice. I, therefore, order the management to pay a sum of Rs. 10000 in lump-sum to the workman within three months of this order failing which the workman shall be entitled to interest @ 12 per cent till final payment.

17th February, 1997.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 28 फरवरी, 1997

कां.सं. 784 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल अरीड जोन रिसर्च इन्स्टीट्यूट के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-2-97 को प्राप्त हुआ था।

[सं. एल-42012/36/87-डी-2(बी)]

के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 28th February, 1997

S.O. 784.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Arid Zone Research Instt. and their workman, which was received by the Central Government on 27-2-97.

[No. L-42012/36/87-D-2(B)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL
TRIBUNAL, NEW DELHI

I.D. No. 141/88

In the matter of dispute :

BETWEEN :

Smt. Teeja w/o Veerka labourer,
through General Secretary,
Rashtriya Laghu Udyog Mazdoor Sangh,
46-D, Gandhi Nagar, Pali-Marwar (Rajasthan).

Versus

Officer Incharge/Head,
Central Arid Zone Research Institute,
(R. R. S.) Pali-Marwar (Rajasthan).

APPEARANCES :

None—for the Parties.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-42012/36/87/D-2(B) dated 8th December, 1988 has referred the following industrial dispute to this Tribunal for adjudication :—

"Whether the action of the management of Central Arid Zone Research Instt., Pali in terminating the services of Smt. Teeja w/o Sh. Veerka Labourer at their farm at Pali w.e.f. 1-10-86 is justified. If not, to what relief the worker is entitled to?"

2. The case of the workman as stated in the statement of claim was that the workman was appointed in 1977 by oral orders by the Management. Her services were terminated on 1-10-86 without any notice, notice pay or compensation. The termination of the workman was rather against law and natural justice. The workman has prayed that her termination may be declared illegal and she be reinstated with full back wages.

3. The management alleged in the written statement that the workman was taken into employment by oral orders and was informed that her services could be terminated at any time. In 1986 the workman left without any intimation to the management. The allegations made by the workman in her statement of claim that she was continuously working from 1977 to 1986 was not correct. The workman being a casual worker was engaged for casual jobs on daily basis. The workman has wrongly stated the violation of section 25-F of the I.D. Act. In fact this provision was not applicable to him. There was no violation of any law nor principles of natural justice. The workman was not entitled to reinstatement.

4. The Management examined Shri R. C. Bhandari MW1 while the workman appeared as WW1.

5. I have heard the representatives for the parties and have gone through the record.

6. The representative for the management has stated that the workman in her own statement admitted that there was no work available so she was disengaged. She also admitted that she used to be disengaged during the period and used to stay at home. She has further urged that the management evidence comprised in affidavit Ex. MW1/1 and the statement on oath of Shri R. C. Bhandari clearly establish that this was a job against the project and with the expiry of the period of project. The employee used to be disengaged. He has also given list of working days for which the workman had worked with the management.

7. The workman representative on the other hand has urged that the case of the workman was only proved and the provisions of the I.D. Act were applicable to him. He further alleged that his services were terminated by the management and the management has itself admitted that no notice pay/notice or compensation was ever provided to the workman.

8. After having gone through the record produced by the parties. I am of the opinion that there was violation of the provisions of the I.D. Act by the Management in this case. The workman had continuously been working with the management since 1977 and in the year 1977 she worked for 133 1/2 days, in 1978 for 229 days, 1979 for 285 days, in 1980 for 304 days, 1981 for 278 days, in 1982 for 257 1/2 days in 1983 232 1/2 days in 1984 for 242 days, in 1985 for 172 1/2 days and in 1986 for 108 1/2 days. Her services have been terminated from 1-10-86 and by that time she had worked for more than 240 days. The Management which was a Govt. of India Undertaking should have complied with the legal requirements and engagement of person by verbal orders and their termination verbally was not expected from such an organization. In this regard reference can

be made to the judgment of the Hon'ble High Court of Rajasthan in which it was held as follows :—

"Verbal order terminating services of petitioner without making compliance of S. 25-F is nonest and void—Order set aside and petitioner reinstated—Petitioner directed to approach Industrial Court/Labour Court under S. 33-C for back wages."

9. The Hon'ble Supreme Court in D. K. Yadav Vs. J.M.A. Industries Ltd. reiterated its earlier stated that "the definition retrenchment in section 2(oo) of the I.D. Act is a comprehensive one intended to cover any action of the Management to put an end to the employment of an employee for any reason whatsoever and also further held that the 'retrenchment' means termination by the employer the services of a workman for any reason whatsoever except those expressions mentioned in the Section."

10. In Rama Krishana Ram Nath Vs. Presiding Officer Labour Court 1970—3—S.C.C. 67 it was held as follows :—

"Verbal order terminating services of petitioner "A workman after satisfying the test under section 25-B need not further show that he worked during all the period he has been in the service of the employer for 240 days in a year".

11. Keeping in view the above citations of the different High Courts and the Hon'ble Supreme Court, I am of the considered view that the disengagement of the workman amounted to retrenchment for which no notice or notice pay was given to the workman by the Management.

12. Keeping in view all the circumstances of this case and the nature of the job the management is doing, I am of the opinion that since the termination of the workman was as old as about 10 years and it cannot be ascertained that the workman remained unemployed throughout. I feel that a lump-sum compensation of the payment will meet the ends of justice. I, therefore, order the management to pay a sum of Rs. 10000 in lump sum to the workman within three months of this order failing which the workman shall be entitled to interest @ 12 per cent till final payment. Dated : 14th February, 1997.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 27 फरवरी, 1997

कां.आ. 785 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ महाराष्ट्र के प्रबंध तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-02-97 को प्राप्त हुआ था।

[संख्या एल-12012/324/89-डी-2 ए(बी. 2)]

सनातन, डेस्क अधिकारी

New Delhi, the 27th February, 1997

S.O. 785.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Maharashtra and their workmen, which was received by the Central Government on 26-02-97.

[No. L-12012/324/89-D2A(B-II)]
SANATAN, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 129/89

In the matter of dispute between :

Shri Mahavir Singh through
Up Maha Sachiv,
Union Bank of Maharashtra Bank Employees,
898, Nai Sarak, Chandni Chowk,
Delhi-110006.

Versus

Regional Manager,
Bank of Maharashtra,
6/30-31, Western Extension Area,
Karol Bagh, New Delhi-110006.

APPEARANCES :

Shri A. K. Yadav, Manager Personnel for the Management.

None for the workman.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/324/89-D.2(A) dated nil has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Bank of Maharashtra in issuing a notice under section 9-A of the I.D. Act for withdrawing the allowance from Mahavir Singh, Asstt. Cashier was justified? If not, to what relief the workman entitled?"

2. The brief facts as stated by the workman in his statement of claim are that he joined the services of the bank of Maharashtra at New Delhi on 18-8-82 in clerical cadre and was appointed against the vacancy of clerk-cum-cashier after qualifying written test and interview. The post of Assistant Cashier attracts a special allowance of Rs. 25 PM being paid to the employee for discharge of duties of receiving cash and working in cash department under the supervision of the Chief Cashier. That post also carries much more special allowance than being paid to the Assistant Cashier. The Management utilised the services of the workman w.e.f. November, 83 and during that period there were two other asstt. cashiers working in the branch namely Mrs. Beena Gupta and S. K. Harit. Beena Gupta was drawing special allowance permanently and the other two workmen including workman were receiving allowance as and when the bank utilised their service in the cash department.

3. Mrs. Beena Gupta gave her unwillingness to work in cash department in the later part of 1983 and thereafter the Management did not fill up this vacancy permanently by posting any employee but utilised the services of the workman till November, 1985. The Management through its Regional Manager served a notice under section 9-A of the I.D. Act on the workman Mahavir Singh on 9-8-88 for withdrawal of the special allowance mentioning therein that he was not entitled to the post of Assistant Cashier on the following two reasons :—

1. The posts carrying allowance not provided in Award/B.P. Settlement such as 2nd Cashier etc. will be given on the basis of seniority in that branch as per C.O. Cir. No. AX1/ST/SPL.108/74 dated 15th August, 1974 till the operation of the settlement dated 13-4-74 till the operation of the settlement dated 13-4-87;
2. The post falling vacant after 13-4-87 shall be filled in as per terms of the settlement signed before the Regional Labour Commissioner (C), Bombay on

13-4-87 on the issue of allotment of allowance carrying posts.

The action of the Management was wrong and illegal and the workman approached the office of the Assistant Labour Commissioner for intervention. The Management illegally withdrew the special allowance vide office order dated 28-9-89 but this order of the Management was illegal unjust and against the Bipartite Settlement.

4. The Management in its reply/W.S. denied the allegations in the statement of claim and alleged that the action of the management was fully justified and was according to rules.

5. The Management examined Shri S. Neela Kandon, Deputy Manager, MW1 while the workman himself appeared as WW1.

6. On 23-12-96 the representative of the management made statement alongwith a certificate that the workman had since died in 1993 and they had not this information about his death earlier. The case thus became infructuous due to his death.

7. After having gone through the record I am of the opinion that since the matter was only regarding the validity of the notice under section 9-A of the I.D. Act for withdrawing the allowance to the workman and with his death the notice has become infructuous.

8. In view of this situation no dispute appears to exist, and, therefore, no dispute award is given in this case leaving the parties to bear their own costs

Dated, the 6th February, 1997.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 28 फरवरी, 1997

का०ग्रा० 786.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबंध तंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, मुम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-02-97 को प्राप्त हुआ था।

[संख्या एल-12012/289/90-आई०ग्रा० (बी० 2)]

सनातन, डेस्क अधिकारी

New Delhi, the 28th February, 1997

S.O. 786.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Mumbai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of India and their workmen, which was received by the Central Government on 27-2-1997.

[No. L-12012/289/90-IR (B-II)]
SANATAN, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2, MUMBAI.

PRESENT :

Shri S. B. Panse, Presiding Officer.

REFERENCE NO. CGIT-2/1 OF 1991.

EMPLOYERS IN RELATION TO THE MANAGEMENT OF BANK OF INDIA

AND

THEIR WORKMEN

APPEARANCE :

For the Employer : S/Shri S. K. Talsania and
V. H. Kantharia Advocate.

For the Workmen : In person.

Mumbai, dated 14th February, 1997.

AWARD—PART—II

On 18th August, 1995 by Part-I Award I came to the conclusion that the domestic inquiry which was held against the workman was against the Principles of Natural Justice. The Consequent upon this the parties were allowed to lead evidence. In other words the management was allowed to lead evidence to substantiate its action against the worker.

2. In nut shell the facts giving rise to the present Industrial Dispute are as follows :—

K. V. Joshi the workman was appointed as a clerk in Bank of India in 1966. He worked in different capacities. On 29-9-1987 and on 30-9-1987 he was asked to man the cash payment counter No. 7, at Bombay, Main Branch. On 30-9-1987 there was a shortage of Rs. 30,000/-.

A. Pugalenthy, the officer of the Bank investigated the matter. He made inquiries with the workman on 12th and 13th November, 1987. He submitted his report on 19-10-1987 to his superior. Consequent upon the report the workman was suspended on 24-10-1987 and a charge-sheet was given to him dated 10-2-1988. He received the same on 20-2-1988.

The charge against the workman was that he intentionally fabricated and manipulated the banks record and misappropriated the banks cash amounting to Rs. 30,000/- which is a gross misconduct within the meaning of Clause—19.5(j) of the First Bipartite Settlement. In a domestic inquiry the worker and his representative took different stands. Ultimately he was found to be guilty and the disciplinary authority suspended him w.e.f. 12-9-1989.

3. Now the issues that fall for my consideration and my findings there on are as follows :

Issues	Findings
4. Whether the Appellate Authority Does not mechanically dismissed the workman's, appeal without application of mind ?	Survive
5. Whether the action of the employer of Bank of India in terminating the services of Shri K. V. Joshi, Cashier of the Bank w.e.f. 12-9-1989 is justified ?	Yes.

6. If not, to what relief the workman concerned is entitled? Does not survive.
7. What Award? As per order.

REASONS

4. Mr. Taisania, the Learned Advocate for the management submitted that in view of the Tribunals findings on issues Nos. 1 and directing the management to substantiate its action issue No. 4 becomes redundant. It is not necessary to consider the same. I find merit in it. In view of the findings of the preliminary issues now the Tribunal is sitting as an inquiry officer, to decide the reference.

5. In the written argument (Exhibit-61) filed by the workman and in oral submission made by him it is tried to suggest that an adverse inference has to be drawn against the management for non-complying of the order namely, non-production of certain documents. The Learned Advocate for the management on the other hand in categorical term submitted that the orders were duly complied and there is nothing like drawing an adverse inference against it. After perusal of the record it appears that the original documents which are in their possession are produced by them and nothing remained to be produced on record. The worker was supplied with its photo copies and the originals were made available to him for inspection and at the time of cross-examination. So far as the original till memos dated 29-9-1987 are concerned I will be discussing it little later. But its carbon copies are on the record which were made available for inspection to the worker for cross examination. Under such circumstances I do not find any merit in the submission of the workman that an adverse inference is to be drawn against the management.

6. At this juncture I may mention it here that while producing the copies that is photo copies and preparing its list there appears to be some mishandling by the management. They are not properly produced on the record. I have to say so because so far as the experts evidence is concerned it is produced alongwith Exhibit-29, the pages are not arranged correctly. That resulted in unnecessary cross-examination and misunderstanding. It can be further seen that at the time of domestic inquiry typed copies were given to the worker and some endorsements which were on the originals were not typed on it. That appears to be the grievance of the worker in the cross-examination. But when the originals were on the record and which were available for his perusal there is no merit that he was prejudiced. But even then I have to say that it would have been better on the part of the bank to give correct copies to the worker at the time of the domestic inquiry also. But that has not affected the merits of the case.

7. In the written argument the workman had submitted that the charge is false and misleading. After perusal of the charge I do not find it to be a false or misleading. The details of the incident are given and it is also mentioned how it falls under clause 19.5(j) of Bi-partite settlement. While making such submissions the workman had submitted

that the bank fabricated its record to implicate the worker by tampering the figures on carbon till memos No. 56683 and by placing identification mark through handwriting expert on a disputed document. This submission appears to be without any merit. Infact there cannot be any reason for the bank to implicate this workman in such a grave charge.

8. It is tried to argue on behalf of the workman that there is no evidence on the record to show that there was a shortage of Rs. 30,000/- on 30-9-1987. At one stage he tried to submit that the shortage might be in view of the fault of the custodian. In other words it has to be said that he wanted to bring on the record different probabilities regarding the incident. By doing so his intention appears to be that the charge which was levelled against him is without any merit, baseless and deserves to be rejected, granting him the relief which he sought.

9. After an opportunity was given to the management to substantiate its action it examined Neelaknath Joshi (Exhibit-46) he had written the big book, Jangoo Talati (Exhibit-47) the Deputy Manager, Mohan Salvi (Exhibit-49) Chief Cashier, Anil Kumar Mathur (Exhibit-50) disputed documents expert and A. Pugalenthay (Exhibit-53) the investigating Officer. It produced photo copies of all relevant documents and the originals which they possessed to substantiate its action. On the other hand K. V. Joshi (Exhibit-58) the worker examined himself and relied upon some documents which he produced on the record.

10. At Exhibit-57 an application was moved by the workman that some of the evidence which was recorded before the inquiry officer to be taken into consideration while deciding the matter as his witness. That application was opposed by the management and ultimately his application came to be rejected by the Tribunal. In the written argument while making his submissions it is tried to suggest that the witnesses have deposed before the inquiry officer something different than before the Tribunal. It is therefore their evidence has to be discarded. Nodoubt there appears to be some discrepancy but that is not material at all. It is not by way of a major contradiction.

11. Neelaknath Joshi (Exhibit-46) Talati (Exhibit-47), Salvi (Exhibit-49) and Pugalenthay (Exhibit-53) corroborates each other on the point of working of the bank in respect of cash. Infact the worker Joshi had not disputed much of their testimony. From their evidence it reveals that all the cashiers are issued one notes delivery book and Till memo indent book for withdrawing all currency notes from cash-in-till which is popularly known as till memo book. The till memo book contains till memo in duplicate and they are serially numbered. Each payment cashier had to fill up the original till memo by placing the carbon paper underneath about his total requirements of the cash as and when necessary and to attach the original memo leaving the carbon copy in the book. He had to hand over the original memo to the custodian of the cash who would part with cash to the cashier in receipt of the original till memo. The details of the denominations

mentioned in the original till memos are entered counter wise in big till memo register (Rough cash placing book) maintained by the custodian. At the end of each day each cashier had to fill in the details of total drawings of cash for the day, total payments made towards the cheques, balances available etc. in their note delivery books and handed over the balance cash available to the custodian who had to acknowledge the receipt in the note delivery book.

12. At the relevant time after the cash was balanced and/or tallied at the end of the day and entries were made in the big till memo register the original till memos were discarded or not taken accord of. However, carbon copies is available in the respective till memos books maintained by payment cashiers are preserved. The cash for 29-9-87 was tallied, balanced and therefore the original till memos for that day were not preserved. This procedure clearly suggests that when the cash was tallied on 29-9-1987 the original till memos were destroyed. This is not disputed by Joshi also. The bank has not produced the original till memos dated 29-9-1987. It had produced the original till memos dated 30-9-1987. They did produce the carbon copies of the till memos dated 29-9-1987. The worker submitted that as it is a secondary evidence it should not be relied upon. I am not inclined to accept his submission because the evidence clearly suggests that there is a practice of not keeping the originals till memos after the days balance is tallied. In other words the carbon copies of the till memos dated 29-9-1987 cannot be said to be a secondary evidence. So far as this case is concerned this is a primary evidence.

13. Neelaknath Joshi (Exhibit-46) was employed as a clerk in cash and was working in that department since 1969. On 29-9-87 he prepared debit notes in the morning and in the afternoon that is after 3.00 p.m. he was asked to write the big book. It is not in dispute that the big book remains in the custody of the custodian till 3.00 p.m. and later on it was sent outside and the clerk whose turn is to write the big book would write the same. It helps to balance the cash denomination wise. He affirmed that on 29-9-87 he had made entries from certain till memos in the big book. He affirmed that the custodian sometimes sends two or three till memos simultaneously and due to the shortage of space Big book writer has to adjust the memo and instead of entering two memos separately in the big book they are clubbed together. This is corroborated by the other witnesses and infact the worker did not dispute this position. The original big book on page 129 reflects the transactions dated 29-9-87. Some of the entries of this big book are carried out by Joshi. It relates to Counter No. 7A. So far as this date is concerned there are entries of 1000, 1000, 2000, 800, 500 and 100 rupees denomination notes and Rs. 100 to 50 denomination notes. The investigating officer had initialled the same. There were in all 5300 notes of 100 denominations. So far as the entries dated 30-9-87 in big book on pp. 130 are concerned it reflects of 11,900 notes of 100 denomination. So far as Joshi is concerned he affirmed that as the balance was not tallied he was asked to

write the big book on the next date, that is on 1-10-97. It appears that after the days transaction normally the next date is written on the next page which appears to have been done in this case on pg. 131. When he was asked to write the same it appears that it is scored out and again the date is written as 30-9-87. The workman had tried to create much ado about nothing for these things. This book is maintained for the purpose of balancing the cash at the end of the day. This is also useful for the counter checking. It is tried to suggest that in a domestic inquiry Joshi had affirmed relating to writing of only one entry in the big book but before the tribunal he deposed regarding the four entries. Therefore it is tried to suggest that he is not a person on whom a reliance can be made. I am not inclined to accept this. Infact there appears to be no such contradiction. Joshi in his testimony tried to give explanation how the figures in big book are appearing in relation to the entries in the till memos. He affirmed that payment to Counter No. 7A on 29-9-87 was of 500 notes of Rs. 100 denomination vide till memo No. 50685. All entries prior to that last entry was made by him in the till memo which is for 100 notes of Rs. 100 denomination and 2000 notes again of Rs. 100 denomination. The entry of 800 notes of Rs. 100 denomination was made in relation to till memo No. 50684 and an entry of 2000 notes was made in relation to till memo No. 50682 and 50683 for Rs. 1,200 and 800 notes, respectively.

14. Joshi the worker in his cross-examination in categorical term admitted that the carbon copies of the till memo bears carbon impression of his signature. So far as the original till memos dated 30-9-1987 are concerned he admits the same.

15. Mr. Talsania, the Learned Advocate while making oral submission submitted that the crux of the case lies with the till memo No. 50683 dated 29-9-1987. If it is held that by that till memo the worker took 800 notes of Rs. 100 denomination the bank succeeds and if it is held that the worker took 580 notes of Rs. 100 denomination the worker succeeds.

16. From the testimony of Neelaknath Joshi, Talati, Salvi and the investigating officer it is very clear that there was a shortage of Rs. 30,000 on 30-9-1987. The concerned officers tried to check out the fault till 8.00 p.m. and it was not traced out. They left the bank. It appears that there is no exact entry on that date that there was such a shortage. It is common knowledge the banks tried to short out such a shortage and did not give publicity to such thing with a view that the business of the bank should not suffer. Ultimately they had to report the matter regarding such a shortage and Fugality started the investigation.

17. So far as the testimony of Talati (Exhibit-47) and that of Salvi (Exhibit-49) are concerned they particularly relates to the shortage on that date and the procedure in respect of the writing of the big book and other books. From their cross-examination nothing has come on the record to suggest that Joshi the worker is innocent. In fact their testimony clearly suggests that they tried to find out the fault if any in writing the big book and in the

cash itself. They checked the cash and the big book was re-written again on 1-10-1987 in respect of the transactions dated 30-10-1987.

18. Pugalenthay affirmed that the worker did not open the transaction by till memo No. 50686 on 30-9-1987 but he started with till memo No. 50687. According to him the entries in the big book so far as counter No. 7 was concerned tallied with the till memos Nos. 50865 from book No. 503, till memo No. 50681 to 50685 from book No. 507. According to him on 30-9-1987 he drawn the amount of different denominations with the help of till memos Nos. 50687 to 50694 and after the close of the transaction he used till memo No. 50686 and took out 300 notes of Rs. 100/- denomination. According to Pugalenthay later on he managed to take out the original till memo No. 50686 and put the date 29-9-1987 with the help of the carbon on the copy of the till memo which is in a bind book. This is the exact amount Rs. 30,000/- which he took away.

19. It is the case of the management that the worker thereafter managed to remove the original till memo No. 50686. It is tried to bring in the cross-examination of the management witness that in the cage of the custodian nobody is allowed to go and the custodian is in a position to see the person going in and out. Therefore, it is tried to suggest by the worker that it was not possible for him to take away original till memo and destroy the same. I am not inclined to accept this argument. It is because the worker is a very senior person working in that bank. It was just possible for him to enter into the cage and to do the needful. It appears that he had taken the advantage of this situation only and had done the thing which is beneficial to him.

20. Pugalenthay the investigating officer and Joshi affirmed that the entry in till memo No. 50683 is of 800 pieces of 100 denomination. I find substance in it. The worker had tried to give explanation in the entries in the big book referring to till memo. He affirmed that the entry No. 4 from the top which starts from 1000 deals with 100 pieces of Rs. 100 denomination. It relates to till memo No. 50686. But so far as the remaining 500 pieces are concerned they are appearing in two till memos. Therefore, he is not in a position to tell to which till memo it relates. He affirmed that it might be 50683 and 50685. By till memo No. 50684 he also took 100 pieces of Rs. 50 denomination and 800 pieces of 100 denominations. The fourth entry in the big book relates to this till memo. Now, the version of the workman relating to till memo No. 50685 relating to big book is concerned if accepted the entry in till memo No. 50683 to be 500 pieces of Rs. 100. If not it is 800.

21. Now, the evidence of the hand writing expert comes in to picture. Mathur (Exhibit-50) is the examiner of documents. He is doing that profession for last 23 years. He was trained in that profession by Parmeshwar Dayal who then had an experience of about 40 years. Admittedly he is not a qualified

expert. Qualified in the sense holding a degree but it appears that Parmeshwar Dayal who is his father was qualified and they are doing this profession since 1932. It is always seen that the experts work is seen on the basis of the experience and not only with the qualifications. In the cross-examination the expert categorically stated that he is a qualified examiner of the documents, on the basis of the experience. For the last 23 years and training. There does not appear to be any false hood in his statement. The procedure he followed for examining the till memos is perfectly proper. The worker tried to draw my attention to a book by name disputed documents examination and finger prints identification by Rao, Vth Edition. Mr. Mathur also admits the position that it is a principle that like should be compared with like. This principle is tried to be brought on the record because the disputed documents which was send to the expert were carbon copies and the admitted handwriting of Joshi worker which was send was not so. But it appears to me that that has not affected the examination of the hand writing expert.

22. Mr. Mathur had given a preliminary report on October 16th, 1987 and final report on October 19th, 1987. He also affirmed in categorical term that after due investigation he found that the figure on till memo No. 50683 is 800. He also opined that it was written by a person whose hand writing was send to him for comparing namely that of Joshi. For doing that job he had taken photographs and compared the same. He had enlarged the same. It is tried to argue that the enlargement is not as that of the requirement which is denied by the expert. The worker had cross-examined this expert but nothing has come on the record to show that the examination which is carried out by him is improper. To contradict the version of the expert the worker had not examined any expert. Mathur in categorical term affirmed how the figure-8 is written, how the figure-5 is written and how the figure-0 is written by the worker. This is in comparison with the till memo No. 50683 and the other figures appearing in different books. He had given the details of the documents which were examined by him. It is tried to suggest on behalf of the worker that the other documents were not made available to the hand writing expert. But the documents which were made available to him were sufficient for his examination and there is no illegality.

23. The worker tried to show on the basis of the original till memos dated 30-9-87 and its carbon copies that the impressions on the carbon copies are faint and different. Therefore, according to him the conclusions which is drawn by the expert on the basis of the carbon copy on till memo No. 50683 is incorrect. This submission appears to be without merit. The investigating officer thought it fit to send the till memos to the hand writing expert only because in the interrogation the worker insisted that he had taken 500 pieces of Rs. 100 notes and not 800 pieces of Rs. 100 notes by that till memo. The exports report is against the worker.

24. The expert also admits the position that his report cannot be said to be final. There is no dispute over this proposition. It is an opinion. He also admits the fact that some time he has to retract his opinion because of availability of some other evidence. But that does not mean that the cannot be relied upon. The Tribunal itself can also compare the figures. After using the magnifying glass it can be seen that it is not 500, but it is 800 figure on the till memo No. 50863. The other circumstances corroborates this position which I have already narrated above.

25. It is tried to argue on behalf of the workmen that the investigation officers report is not produced, because that might be connecting some other persons for that shortage. No doubt the report is not produced. But that does not mean that it is pointing out to somebody else. The investigating officer himself had narrated how he investigated the matter. After investigation it was revealed that the workers entries in till memo in respect of counter No. 7A do not tally the big book. As that is so the suspicion arose against him. Therefore the till memos relating to his counter was send to the expert for examination.

26. The investigating officer also took inspection of rough cash balance book, cash payment register, rough payment book, daily cash balance book, note delivery book alongwith big book and till memos. All these original documents are on the record.

27. The worker argued that what is to be seen on the basis of preponderance of probabilities means some other probabilities are to be seen and then comparing to it, it has to be seen that the first probability is correct. He submitted that the bank has failed to rule out the possibility that the cash might have been send in excess to any branch, that the cash might have been given in excess while conducting internal exchange by the custodian, that the alleged cash might have been withdrawn on one of the original till memos out of six missing till memos No. 501 by same mode as alleged by investigating officer by the worker by not leaving any clue behind, that any other possibility of cash being there which lost by non sealing of the cash on the evening of 30-9-1987 by Chief Cashier and use of the same cash on the next date as opening cash. This argument appears to be without merit. Because the investigating officer had come to the conclusion that the shortage was due to the mischief by the worker and not by any other way. Therefore there is no reason of considering all these possibilities. The word preponderance means which satisfies the conscience and carries conviction to an intelligent mind. The evidence which is lead before me by the management to justify its action is sufficient for coming to the conclusion that the charges which were levelled against the workman are proved.

28. From the above said discussion it is very clear that the management had proved the charges against the worker. They are major charges. The punishment of dismissal which was awarded to the worker is just and proper.

29. The worker in his written argument Ex-63 had submitted that the fact that the management in the written argument submitted that the Hon'ble Court may consider awarding reasonable compensation to the worker. It shows that the bank had realised that they have no case against the workman. This is to be mentioned for rejecting the same. That submission of the management was an alternative one and it cannot be said that the management had given up the case. The sentence which is quoted by the worker is connected with other submissions.

30. For the above stated reasons I record my findings on the issues accordingly and pass the following order :

ORDER

The action of the employer of Bank of India in terminating the services of Shri K. V. Joshi Cash Clerk of the Bank. w.e.f. 12-9-89 is justified.

S. B. PANSE, Presiding Officer

नई दिल्ली, 25 फरवरी, 1997

का.प्र. 787.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार श्री एन.जी. सी. लिमिटेड के संबंधित के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-2-97 को प्राप्त हुआ था।

[संख्या ए.प्र.-20040/29/95-आई आर (सी-)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 25th February, 1997

S.O. 787.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ONGC Limited and their workmen, which was received by the Central Government on 25-2-1997.

[No. L-20040/29/95-IR(C-I)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 79 of 1996

In the matter of dispute :

BETWEEN

Adwin Massey S/o Sh. Sanny Massey,
H. No. 152, Prem Pura,
Mafi Charvi Gate,
Kaulagarh Road,
Dehradun. (U.P.).

AND

General Manager (P),
Oil & Natural Gas Commission Ltd.,
Tel Bhawan,
Dehradun.

AWARD

1. Central Government, Ministry of Labour, New Delhi vide its Notification No. L-20040(29)/95-I.R.(C-1) dt. 9-8-1996, has referred the following dispute for adjudication to this Tribunal—

Whether the demand by Shri Adwin Massey, Contingent worker that his services were illegally terminated by the management of O.N.G.C. Ltd., the then O.N.G.C. w.e.f. December, 1987 is legal and justified? If so, to what relief is Shri Adwin Massey entitled to?

2. In spite of repeated opportunities, having been given to the concerned workman, he neither filed any claim statement nor put in appearance in the Tribunal. It appears that he is not interested in the case.

3. Hence my answer to the reference is in the affirmative and against the concerned workman for want of proof. He has not entitled to any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 26 फरवरी, 1997

का.आ. 788.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पेट्रोल रैफ़िनरी प्राइवेट लिमिटेड के संबंधित कर्मचारियों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-02-97 को प्राप्त हुआ था।

[संख्या एल-12012/144/95-आई.आर.बी.०-II]

ब्रज मोहन, ईस्क अधिकारी

New Delhi, the 26th February, 1997

S.O. 788.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the

management of Central Bank of India and their workmen, which was received by the Central Government on 24-2-87.

[No. L-12012/144/95-IR(B-II)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 87 of 1996

In the matter of dispute :

BETWEEN

General Secretary,
Central Bank Employees Congress,
28/299 Kokulpura,
Agra.

AND

Regional Manager,
Central Bank of India,
Regional Office,
Belanganj,
Agra.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its Notification No. L-12012/144/95-I.R.(B-2) dated 19-9-96, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the Regional Manager, Central Bank of India, Agra in not providing a job to Shri Ram Swaroop on compassionate ground is legal and justified? If not, to what relief is the concerned workman entitled to?

2. In spite of repeated opportunities, having been given to the concerned workman, he neither filed any claim statement nor put in appearance in the Tribunal. It appears that he is not interested in the case.

3. Hence my answer to the reference is in the affirmative and against the concerned workman for want of proof. He has not entitled to any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 26 फरवरी, 1997

का.आ. 789.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के संबंधित कर्मचारियों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर

के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-02-97 को प्राप्त हुआ था।

[संख्या एन-12012/249/94-आईआर(बी-II)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 26th February, 1997

S.O. 789.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workmen, which was received by the Central Government on 24-02-97.

[No. L-12012/249/94-IR (B-2)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL-TRIBUNAL-
CUM-LABOUR COURT, PANDU NAGAR, KANPUR
Industrial Dispute No. 28/1995

In the matter of dispute between :

B. B. Sharma,
Joint Secretary,
Punjab National Bank Staff Association,
C/o B. P. Saxena 426W-2, Basant Vihar,
Kanpur.

AND

Regional Manager,
Punjab National Bank,
Birhana Road, Kanpur.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-12012/249/94-I.R. B-2 dated 20th February, 1995, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of Punjab National Bank, Kanpur in imposing the penalty of warning on Sri Rajjan Lal Mishra, Daftari and not releasing his annual increments for the years 1991 and 1992 from the due date is justified? If not, to what relief is the said workman entitled?

2. Although this case was reserved for order on preliminary issue, final award is being given as during the course of consideration of issue regarding fairness and propriety of domestic enquiry I have come to the conclusion that enquiry was fairly and properly conducted and further that the punishment is less than dismissal or removal from service.

3. The concerned workman Rajjan Lal Mishra was appointed in subordinate cadre of the Punjab National Bank. At the material time he was posted as daftari in February, 1991, at General Ganj Branch of the opposite party at Kanpur. He was served with a chargesheet dated 23-2-91, copy of which is attached herewith as annexure I. One Amarjit Singh an officer of the bank was appointed as Enquiry Officer. After completing enquiry he submitted his report on 9-3-92 holding that both the charges were proved. The disciplinary authority vide order dated 4-11-92 imposed punishment of withdrawal of special allowance of Daftari

permanently. The concerned workman preferred appeal. The appellate authority vide order dated 27-3-93 held that charge No. 2 was not proved whereas charge No. 1 was proved. Accordingly the punishment was reduced to that of warning only. Feeling aggrieved the concerned workman has raised an industrial dispute. Inter alia, the fairness and propriety of domestic enquiry was challenged which fact was denied by the management in the written statement. Hence preliminary issue was framed. It is obvious that now we are concerned with charge No. 1 alone.

4. The contention of the authorised representative of the concerned workman is that the finding of the enquiry officer is perverse as it is not based on any evidence for. Further the case of the management is contrary to their stand. My attention has been drawn to the chargesheet which was given to Ram Singh Tomar who had taken charge from the concerned workman that he was asked to proceed to Orai. In this chargesheet Ram Singh Tomar has been charged for not making entry in the long cash book in respect of 4 vouchers. It is submitted that when this man was already charged for this misconduct the concerned workman could not be charged for the same misconduct. I do not agree with this contention. The charge against the concerned workman relates to the period till he remained at General Ganj Branch and proceeded to Orai. The charge against Ram Singh Tomar relates to period when he failed to make entries after he had taken over charge from the concerned workman. Hence it cannot be said that there is contradiction in the stand of the management when two separate chargesheets were issued to Ram Singh Tomar and concerned workman. In my opinion, in this case there was hardly any need for any oral evidence as the concerned workman in his reply dated 13-5-91 to the chargesheet had admitted the fact. His explanation is that he was being forced to proceed to Orai at once as cash box had already been loaded down stairs. By that time Head Cashier had not provided serial No. 1 any one, hence he could not make entry in cash long book in respect of these 4 vouchers. It is well settled law that when a fact is admitted it need not be proved. In my opinion under the circumstances the enquiry officer has rightly arrived at conclusion that it was the concerned workman who had failed to make entry in the cash long book. I am further of the view that explanation of the concerned workman as given in the reply is not satisfactory. If serial number was not forthcoming the concerned workman could have made entry of these vouchers in cash long book by making entry in relevant columns and leaving the columns of serial number.

5. Accordingly my conclusion that finding of enquiry officer is not perverse and it does not suffer from any infirmity vis-a-vis principles of natural justice.

6. In this regard the concerned workman has been awarded punishment by way of warning which is much less than removal or dismissal from service. In view of specific provisions of Section 11-A of I.D. Act, this Tribunal has no powers to interfere with it. Further I am of the view that no lesser punishment than warning can be imposed under circumstances.

7. Hence, my award is that concerned workman has been rightly punished and he is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

संदर्भ : आर०एम०के०/पी०एफ०/संवे-238

दिनांक : 23-2-1991

क्षेत्रीय प्रबन्धक कार्यालय
कानपुर

श्री रज्जन लाल मिश्र,
अधीनस्थ कर्मचारी/बपरासी
शाखा-जनरलगंज,
कानपुर ।

विषय :—आरोप-पत्र ।

आपके विरुद्ध निम्नलिखित आरोप लगाया जाता है—

दिनांक 22-12-90 को स्थानापन्न व्यवस्था के अन्तर्गत आपको निर्देश दिया गया था कि आप शाखा जनरलगंज, कानपुर के कौश विभाग में नगद प्राप्ति की सीट पर कार्य करें ।

उपरोक्त सीट पर कार्य करते समय आपने पांच विभिन्न जमा वाउचरों के अन्तर्गत क्रमशः रु० 1400/-, रु० 7000/-, रु० 200/-, रु० 5000/- तथा रु० 5000/- प्राप्त किये जोकि ग्राहकों द्वारा अपने संबंधित खातों में जमा करने हेतु आपको दिये गये थे ।

तदुपरान्त उसी दिन आपको आदेश दिया गया कि आप प्राप्त किया हुआ कौश संबंधित वाउचरों तथा अन्य पुस्तिकाओं सहित जो कि आपके पास थीं, श्री राम सिंह तोमर, अधीनस्थ कर्मचारी, को दे दें जिन्हें स्थानापन्न व्यवस्था में नगद प्राप्ति की सीट पर कार्य करने का निर्देश दिया गया था । साथ ही आपको यह भी आदेश दिया गया था कि कौश और वाउचर आदि देने के पश्चात् आप शाखा उरई को भेजे जाने वाले नगद प्रेषण के साथ उरई जायें ।

संबंधित रिकार्ड की जांच करने पर पाया गया कि आपने श्री तोमर को पूरा चार्ज देने से पूर्व न तो कौशियर लॉग बुक में वाउचरों की डिटेल् लिखी और न ही आपने दिये गये कौश या वाउचरों की कोई रसीद श्री तोमर से प्राप्त की ।

अब यह तथ्य प्रकाश में आया है कि श्री तोमर ने कौशियर लॉग बुक पर क्रम संख्या 16, 17, 18 व 23 पर क्रमशः रु० 1400/-, रु० 7000/-, रु० 200/- व रु० 5000/- लिखे थे । परन्तु पांचवां वाउचर जोकि मेक्सि खाता सं० 3748 (सुश्री स्नेह साहनी) के खाते में रु० 5000/- जमा करने हेतु प्राप्त किया गया था, उसका लेखा न तो कौशियर लॉग बुक में किया गया और न ही अन्यत्र उसकी बैंक की किसी पुस्तिका में रिकार्ड किया गया ।

यह भी पाया गया कि आपने उपरोक्त रु० 5000/- की रसीद, कौशबुक में संबंधित वाउचर की प्रविष्टि किये जाने से पूर्व ही अपने हस्ताक्षर करते हुए जारी कर दी जो कि बैंक के नियमों के विरुद्ध है ।

इस प्रकार आपने श्री राम सिंह तोमर के साथ मिली भगत (आपसी पड़यन्त्र) करके उपरोक्त रु० 5000/- अपने व्यक्तिगत लाभ हेतु गबन कर लिये ।

आपके उपरोक्त कार्य के फलस्वरूप बैंक द्वारा खातेदार को रु० 5000/- का भुगतान करने के कारण आर्थिक हानि उठानी पड़ी है ।

आप द्वारा किया गया उपरोक्त कार्य दिनांक 19-10-66 के द्विपक्षीय समझौते के पैरा 19.5(i) के अन्तर्गत एक "बड़ा अपराध" है ।

अतः आपको आदेश दिया जाता है कि इस आरोप-पत्र की प्राप्ति से तीन दिन की अवधि में अपना स्पष्टीकरण प्रस्तुत करें कि आपके विरुद्ध अनुशासनात्मक कार्यवाही क्यों न की जाये । यदि निर्धारित अवधि में आपका कोई स्पष्टीकरण प्राप्त नहीं होता है तो यह मान लिया जायेगा कि आपको कोई स्पष्टीकरण नहीं देना है और इस मामले का एक-पक्षीय निस्तारण कर दिया जायेगा तथा द्विपक्षीय-संमति के अन्तर्गत अन्य आवश्यक कार्यवाही की जायेगी ।

उपरोक्त आरोप की गंभीरता को ध्यान में रखते हुए आपको एतद्वारा विभागीय जांच से पूर्व ही निलम्बित किया जाता है । द्विपक्षीय समझौते (अद्यतन) के अनुसार निलम्बन-अवधि में आप जीवन निर्वाह भत्ता प्राप्त करने के अधिकारी होंगे । निलम्बन अवधि में आपको शाखा कार्यालय में उपस्थित होने की कोई आवश्यकता नहीं है ; इस मामले में पत्राचार करने हेतु अपना स्थानीय एवं स्थायी पता भी बैंक को सूचित करें ।

ह०-

क्षेत्रीय प्रबन्धक
अनुशासनिक अधिकारी

नई दिल्ली, 26 फरवरी, 1997

नई दिल्ली, 26 फरवरी, 1997

का.आ. 790—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट अधिप्राप्ति करती है, जो केन्द्रीय सरकार को 24-02-97 को प्राप्त हुआ था।

[संख्या एल-12012/198/89-आईआर(बी-II)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 26th February, 1997

S.O. 790.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workmen, which was received by the Central Government on 24-02-97.

[No. L-12012/198/89-IR(B-II)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 65 of 1990

In the matter of dispute :

BETWEEN :

President,

P.N.B. Staff Congress,
Ward-1, B-10, Yasoda Nagar,
Kanpur.

AND

Regional Manager,
Punjab National Bank,
Regional Office,
Mall Road,
KANPUR.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No L-12012/198/89-D-2(A) dated 12-2-1990, has referred the following dispute for adjudication to this Tribunal :—

Whether the action of the management of Punjab National Bank in relation to their Mall Road Branch, Kanpur in not giving permanent appointment to Shri Vijay Kumar Bajpai as sub-staff w.e.f. 5-1-85 is justified? If not, to what relief is the workman entitled?

2. It is not necessary to give details of the case as on 30-1-97 representative of the concerned workman made a statement that he has no instruction. Hence the reference is answered against the concerned workman for want of prosecution and proof and concerned workman is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

का.आ. 791—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बीसी सीएल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, (सं.-1) धनबाद, के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-2-97 को प्राप्त हुआ था।

[संख्या एल-20012/95/94-आईआर(सी-1)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 26th February, 1997

S.O. 791.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. I), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 25-2-97.

[No. L-20012/95/94-IR(C-I)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. I, DHANBAD

In the matter of reference under section 10(1)(d)(2A) of
the Industrial Disputes Act, 1947.

Reference No. 170 of 1994

PARTIES :

Employers in relation to the management of Kurrydih
Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer

APPEARANCES :

For the Employers.—Shri B. Joshi, Advocate.

For the Workmen.—None.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 14th February, 1997

AWARD

By Order No. L-20012/95/94-IR. (Coal-I), dated 25/27-7-94 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :—

“Whether the action of the General Manager, Govindpur Area No. III of M/s. B.C.C.L., P.O. Sonardih, Dist. Dhanbad in dismissing Shri Mahadev Yedav, Miner w.e.f. 21-10-92 is justified? If not, what relief is the concerned workman entitled to?”

2. The order of reference was received in this Tribunal on 2-8-1994 and thereafter notice was issued to file written statement on behalf of the workman. On 18-5-95 Sri Niranjan Singh, Advocate, appeared on behalf of the sponsoring union and filed his letter of authority. Thereafter since long none appeared on behalf of the workman to file written statement, despite several adjournments were granted, it

therefore, appears that neither the sponsoring union nor the concerned workman is interested to prosecute the case.

3. In such circumstance, I render a 'no dispute' award in the present industrial dispute.

TARKESHWAR PRASAD, Presiding Officer

नई दिल्ली, 26 फरवरी, 1997

का.आ. 792.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बीसीसीएल के प्रबंधन के संबद्ध नियोजक और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं.-1), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-2-97 को प्राप्त हुआ था।

[संख्या एल-20012/236/91-आईआर(सी-1)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 26th February, 1997

S.O. 792.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 1), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 25-2-97.

[No. L-20012/236/91-IR (C-1)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under section 10(1)(d)(2A) of the Industrial Disputes Act, 1947.

Reference No. 74 of 1992

PARTIES :

Employers in relation to the management of Nichitpur Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer

APPEARANCES :

For the Employers.—Shri H. Nath, Advocate.

For the Workmen.—None.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 14th February, 1997

AWARD

By Order No. L-20012(236)/91-I.R. (Coal-I) dated 13-8-92 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :—

"Whether the action of the management of Nichitpur Colliery (Sijua Area No. V) of M/s. Bharat Coking Coal Ltd. in superannuating Shri Gutha Mahto, Trammer, w.e.f. 20-8-89 instead of 13-1-89 is justified? If not, to what relief the workman is entitled?"

2. The order of reference was received in this Tribunal on 25-8-1992 and thereafter notice was sent to the parties for filing written statement on behalf of the workman. But despite several adjournments given to the workman none is appearing on behalf of the workman since long after filing written statement in this case. It, therefore, appears that neither the sponsoring union nor the concerned workman is interested in prosecuting the present case.

3. In such circumstance, I render a 'no dispute' in the present industrial dispute.

TARKESHWAR PRASAD, Presiding Officer

नई दिल्ली, 26 फरवरी, 1997

का.आ. 793.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बीसीसीएल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, (सं.-1) धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-2-97 को प्राप्त हुआ था।

[संख्या एल-20012/327/93-आईआर(सी-1)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 26th February, 1997

S.O. 793.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 1), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 25-2-97.

[No. L-20012/327/93-IR (C-1)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under section 10(1)(d)(2A) of the Industrial Disputes Act, 1947.

Reference No. 218 of 1994

PARTIES :

Employers in relation to the management of Bansjora Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer

APPEARANCES :

For the Employers.—Shri H. Nath, Advocate.

For the Workmen.—None.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 13th February, 1997

AWARD

By Order No. L-20012(327)/93-I.R. (Coal-I) dated 25-8-94 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-section (2A) of Section 10 of the Industrial Disputes

Act, 1947, referred the following dispute for adjudication to this Tribunal :—

"Whether the action of management of Sendra Bansiara Colliery of BCCL in superannuating Sri Sebha Ahir. Mining Sirdar, w.e.f. 11-2-91 is justified? If not, to what relief Sri Ahir is entitled for "

2. The order of reference was received in this Tribunal on 2-9-1994 and thereafter notice was issued for filing written statement on behalf of the workman. Despite several adjournments were granted and even notice sent to the sponsoring union, no written statement has been filed on behalf of the concerned workman. It, therefore, appears that neither the sponsoring union nor the concerned workman is interested in prosecuting the present reference case.

3. Under such circumstance, I pass a 'no dispute' award in the present reference case.

TARKESHWAR PRASAD, Presiding Officer

नई दिल्ली, 26 फरवरी, 1997

कां०अ०. 794 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड के प्रबंधन के संबंध नियोक्तों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (मं०-2), मुम्बई के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 25-2-97 को प्राप्त हुआ था।

[संख्या एल-20040/90/94-आई आर (सी-1)]

ब्रज मोहन डेस्क अधिकारी

New Delhi, the 26th February, 1997

S.O. 794.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, (No. 2), Mumbai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bharat Petroleum Corporation Ltd. and their workmen, which was received by the Central Government on 25-2-97.

[No. L-20040/90/94-IR(C-I)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2, MUMBAI
PRESENT :

Shri S. B. Panse, Presiding Officer

Reference No. CGIT-2/27 of 1995

Employers in relation to the Management of
Bharat Petroleum Corporation Ltd.

AND

Their Workmen

APPEARANCE :

For the Management—Mr. R. S. Pai, Advocate

For the Workmen—Mr. M. B. Anchan, Advocate

Mumbai, dated 5th February, 1997

AWARD PART—I

The Government of India, Ministry of Labour by its Order No. L-20040/90/94-IR(Coal-I), dated 15-11-95 has referred to the following Industrial Dispute for adjudication :

"Whether the action of the management of Bharat Petroleum Corporation Ltd. Bombay of terminating the services of Shri Avinash Waghmare, Guagar on the basis of ex-parte enquiry w.e.f. 15-3-91 is justified? If not, to what relief the workman is entitled?"

2. The Secretary General, filed a statement of claim at Exhibit-3. It is contended that Avinash Waghmare was working with the petrol and diesel gas was frequently falling sick since 1986. He was absent on several days between 1986—1989. He submitted medical certificates whenever he remained absent. He informed the administration regarding his illness.

3. In 1988, when he was on duty he had an injury to his leg. Since it was a minor injury the first aid was given. But later on it proved to be a serious one. He was admitted at Choudhary Accident hospital at Bhusawal and was operated. He submitted medical certificates to that effect. The personal department after due inquiry confirmed the same. After getting the fitness certificate he resumed the duty. The doctor of the company also checked him and found him physically fit.

4. On 22-6-89 the worker was issued a show cause notice. He gave explanation to it but it was not accepted. The charge-sheet dated 30-10-89 for the alleged misconduct and habitual absence without leave was issued to the worker. It is pleaded that an ex-parte inquiry was conducted against him and ultimately an order of dismissal was issued on 15-3-89.

5. The worker pleaded that the domestic inquiry which conducted against him was against the principles of Natural justice. It is pleaded that the when he was on duty the inquiry was not started. But when he was sick it was started. It is averred that the General Manager is the competent authority and the disciplinary authority and not the senior installation manager who issued the show cause notice and the charge-sheet. It is therefore submitted that the charge-sheet which was issued is illegal. It is contended that he was not supplied with the inquiry proceedings and the report of the inquiry. On that ground also the inquiry is vitiated. It is contended that under such circumstances the order of dismissal to set

aside and the worker may be reinstated in service in continuity with back wages.

6. The management resisted the claim by the written statement Exhibit-4. It is averred that the domestic inquiry which was held against the workman was as per the provisions of the standing orders applicable to the workman. It is pleaded that he was remaining absent without permission and had not shown any improvement in his attendance inspite of several opportunities. Under such circumstances his termination is justified. It is pleaded that the senior installation manager is competent authority as per the standing order applicable to the worker. It is denied that the inquiry was deliberately held when the workman was sick and in his absence. It is asserted that inspite of giving adequate opportunity to the workman he remained absent. It is submitted that under such circumstances the reference may be answered in favour of the management.

7. The workman filed a rejoinder at Ex.-7. It is reiterated that the branch manager is not the competent authority as per the standing orders. It is averred that as per the standing orders also the General Manager of the Western Region is the competent authority to take disciplinary actions. It is submitted that the clause-27(b) on which the management relies is applicable to the erst while Burma Shell and not to Bharat Petroleum Corporation.

8. The issues are framed at Exhibit-10. The Issue No. 1 and 2 are treated as preliminary issues. The issues and my findings there on are as follows :

ISSUES	FINDINGS
1. Whether the domestic inquiry which was held against the workman was against the Principles of Natural Justice ?	Yes
2. Whether the finding of the inquiry officer are not on the basis of the evidence before him ?	No.

REASONS

9. Avinash Waghmare (Exhibit-9), the worker affirmed that after joining the service due to continuous work with the petrol and diesel gas he started falling sick. It continued in the years 1986 to 1989. He had an injury to his leg when he was on duty in the year 1988. Initially it was thought that it is a minor injury and a first aid was given on the spot. But later on it was revealed to be a major injury and he was required to be operated. He was hospitalised at Choudhary Accident Hospital at Bhusawal.

10. Waghmare affirmed that he got a fitness certificate from the doctor and handed over to the company. The company's doctor also examined him and found him fit. He joined the duties. Thereafter a show cause notice was issued to him which he replied. The explanation was not acceptable. It is therefore a charge-sheet dated 30-12-89 was issued to him. The ground was that he is habitual in remaining absent without leave. That was treated to be a misconduct.

11. A departmental inquiry was initiated against the worker. It is not in dispute that on the first date of the hearing the worker was present. He gave his explanation to the charges. He informed the inquiry officer that he informed the administration that his daughter is sick and he is mentally not prepared to sit for the inquiry and requested for the adjournment. The inquiry was adjourned. He affirmed that thereafter he never received any intimation regarding the postponement of the inquiry. On 28-11-89 and 29-11-89. He affirmed that again he wrote a letter dated 9-2-89 to the inquiry officer to postpone the inquiry till he is recovered. He also telephonically informed the inquiry officer regarding the same. He affirmed that he did not receive any letter dated 20-2-90 nor Mr. Pangal had given any letter to his brother Mahendra Waghmare and intimated the date of the inquiry. According to him the inquiry which was conducted was ex-parte.

12. Akbar Ibrahim Deshmukh (Exhibit-12) the Plant Manager who was the inquiry officer there affirms that he was appointed inquiry officer in place of Mr. S. D. Deshpande. He affirmed that the workman did not remain present in the inquiry on 19-2-90. So he adjourned the matter to 1-3-90 and directed the Corporation to intimate the workman about the next date of inquiry. On that date also the workman remained absent. Thereafter the matter was adjourned to 8-3-90. The worker remained absent. He therefore concluded the inquiry and submitted the report. In the cross-examination he admits that the management handed over the notice of inquiry to his brother. But no such acknowledgement is produced on the record. The workman affirmed that his brother was never served with a notice nor he intimated the same. Looking to his previous conduct that is when the date of the inquiry was informed to him he tried to inform the inquiry officer regarding his sickness and asking for the adjournment. It appears that he must not have been received the intimation regarding the inquiry date. Otherwise as usual he would have applied for adjournment. The witness for the management has also stated "it is quiet possible that the worker was not having knowledge of the date of the inquiry. If that is so the whole inquiry which was conducted against him is without his knowledge. He had no opportunity to meet the charges, cross-examine the witness and lead evidence. That vitiates the inquiry.

13. Deshmukh admits the position that the copies of the inquiry proceedings were not given to the worker. In normal course such copies are given. He also accepts that he was not called upon to file his statement after completing the inquiry. He is not aware whether the inquiry report and his findings were supplied to the worker. Here I may mention that in the statement of claim there is a clear cut contention that the worker did not receive the inquiry report and the findings thereon. So far as this contention is concerned there is no denial on behalf of the management. In other words the worker loses to opportunity to represent his case before the management or before the Appellate Authority or the management to show that the findings of the inquiry officer are not proper. This is a material lacunae which affected the results of the domestic inquiry.

14. Prima facie on the basis of the different photo copies of the medical certificate which are produced alongwith Exhibit-8, the worker appears to be sick. If the date of the departmental inquiry was informed to him he could have justified his absentism, on the basis of these medical certificate. He could not get that opportunity. In other words he could not defend his case in the inquiry.

15. Mr. Pai, the Learned Advocate for the management placed reliance on MICO Vls. Their workman 1988 II LLJ page 12. The facts of that case are quiet different from the facts before me. There was an intimation of the domestic inquiry to the worker and he remained absent. Here there was no intimation at all. The ratio in that authority has no application.

16. Mr. Pai, the Learned Advocate for the management also placed reliance on A.M. Eshwarachar and the Executive Engineer K. E.B. Chitradurga and ANR 1995 FLR page 31 and Punjab Electricity Board V/s. Labour Court 1995 I LLJ, page 13. The facts of both these cases are quiet different from the facts before me. It has no relevancy at all.

17. There is also one contention taken by the union that the senior installation manager had issued a charge-sheet dated 30-10-89. According to them he is not the competent authority to issue the same as the General Manager is the competent authority and also the disciplinary authority. This is denied by the management in the written statement. As I have already come to the conclusion for the reasons which I have stated above it is needless to discuss this point at this juncture.

18. It can be seen that the inquiry officer had given his report Exhibit-511 which is based on the evidence which was lead before him. It was an ex-parte inquiry. There is no reason for coming to the conclusion that the findings are not on the basis of the evidence before me. There is also no reason for coming to the conclusion that the find-

ings are perverse. But as I have come to the conclusion that the domestic inquiry is against the Principles of Natural Justice the parties are to be given an opportunity to lead evidence particularly the management to justify its action. In that case the Tribunal sits as an inquiry officer and has to give its finding on the basis of the evidence lead before it. Naturally the findings recorded by the inquiry officer becomes irrelevant. In the result I record my findings on the issues accordingly and pass the following order :

ORDER

The domestic inquiry which was held against the workman was against the Principles of Natural Justice. The findings of the Inquiry Officer are on the basis of the evidence before him.

S. B. PANSE, Presiding Officer

नई दिल्ली, 27 फरवरी, 1997

का०आ०. 795 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी सी एल के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, (सं-1), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-2-97 को प्राप्त हुआ था।

[संख्या एल-20012/15/88-डी III-ए/आई आर (सी-1)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 27th February, 1997

S.O. 795.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 1), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 26-2-1997.

[No. L-20012/15/88-D.III (A)/IR (C-I)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 35 of 1988

PARTIES :

Employer in relation to the management of Salampur Colliery of Area No. IV of M/s. B.C.C. Ltd.

AND

Their Workmen.

PRESENT :

Shri Tarkeshwar Prasad, Presiding Officer.

APPEARANCES :

For the Employers—Shri D. K. Verma, Advocate.

For the Workmen—Shri J. P. Singh, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dated, the 14th February, 1997

AWARD

By Order No. L-20012/15/S8-D.III (A) dated 13-7-1988 the Central Government in the Ministry of Labour, has exercised the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Salampur Colliery of Area No. IV of M/s. Bharat Coking Coal Limited in dismissing Sri Karu Blariya from service w.e.f. 17-8-85 is justified? If not, to what relief is the workman entitled?"

2. The workman and the sponsoring union appeared and filed written statement stating therein that he was permanent workman under the management as Trammer doing underground duty and he was active member of Koyla Ispat Mazdoor Panchayat, rival union of R.C.M.S. recognised by the management. It is also said that on 22-6-88 the workman marked his attendance in attendance room and prepared to go underground when the Asstt. Colliery Manager Sri A. K. Mandal started chestising and abusing him to which he protested and Sri Mandal abused him. But being apprehensive that the workman may complain to the superior officer and also to the union Sri Mandal submitted wrong report to the Agent of the Colliery alleging falsely that the workman mis-behaved and abused him and assaulted with shoe. He was implicated in a criminal case lodged with the police by Sri Mandal.

3. It is further said that the management contended that the copy of chargesheet dated 22-6-85 was served to the concerned workman and its corrigendum also was given to him but actually no chargesheet was ever given to the workman and he was not in a position to give reply in absence of chargesheet. As per notice of domestic enquiry the workman appeared and denied allegation and contended that no chargesheet has been given to him and requested the Enquiry Officer for providing copy of chargesheet but it was never given to him and it is also said that Sri T. N. Chatterjee, Overman, was appointed as the co-worker, but actually the workman did not appoint any co-worker and in absence of the chargesheet neither he himself nor the co-worker was in a position to defend his case and no evidence was recorded in his presence in the domestic enquiry. It is also said that copy of the enquiry report. It is also said that copy of enquiry report and paper was never given to the workman at any stage and finally dismissal letter dated 17-8-85 was issued to him by the management. Thereafter due to this illegal act of the management dispute was raised by the workman and the sponsoring union before the Asstt. Labour Commissioner (C), Dhanbad, but due negative attitude of the management no conciliation could take place and thereafter the matter was referred to the Ministry and the present reference has come to this Tribunal. It is further said that the domestic enquiry suffers from serious short-comings and it was unfair and improper and full opportunity was given to the workman to defend him, nor the copy of the chargesheet was given inspite of repeated demand made by him and he could not what was the charge against him and he could not defend himself and enquiry was totally improper and unfair. It is finally said that award be passed accordingly in favour of the workman.

4. I further find that the management appeared and filed written statement stating that the reference was not maintainable and the action of the management in dismissing the workman with effect from 17-8-85 was legal, bonafide and justified and it is said that on 22-6-85 the workman was in 1st shift duty as Trammer duty being underground at 9 term of the Colliery, but he was found on the surface by the Asstt. Colliery Manager, Sri A. K. Mandal at about 9.15 A.M. and when he was asked he did not go underground for his duty he became furious and started abusing Sri Mandal, assaulted him with shoe and pushed him down on

the surface causing injury to him and thus the concerned workman committed serious misconduct of insubordination undermining authority of the management. It is also said that on 22-6-85 chargesheet was issued to the workman by the Agent of the Colliery after receipt of complaint of Sri Mandal, Asstt. Colliery Manager and an F.I.R. was also lodged to the police and corrigendum to the chargesheet dated 22-6-85 was also issued to the workman making certain corrections and he was put under suspension. It is further said that Sri N. K. Sharma, Dy. Personnel Manager was appointed Enquiry Officer by the Agent of the Colliery and letter was issued to the workman on 22-6-85 and also on 27-6-85 informing about enquiry on 1-7-85 at 10 A.M. It is said that on 28-6-85 the workman submitted a letter and also earlier submitted reply on 27-6-85 about non-availability of chargesheet and thereafter the Agent again gave him letter on 29-6-85 alongwith copy of chargesheet by intimating the date of enquiry fixed on 1-7-85. But the workman did not appear on 1-7-85. Another notice dated 2-7-85 was issued to the workman fixing enquiry on 8-7-85 and 3rd letter was given fixing date of enquiry on 22-7-85 when the workman attended and requested for next date which was given on 26-7-85 and he participated with his co-worker T. N. Chatterjee, Overman in the Colliery. It is said that the enquiry was held fairly and full opportunity was given to the workman to cross-examine the witnesses of the management and to give his own statement and also to examine his witnesses, but on his submission that he had no further witness to examine, the enquiry was closed and the enquiry report was submitted by the Enquiry Officer on 6-8-85 holding the workman guilty for the charges levelled against him and the matter was considered by the management and after taking approval of the competent authority dismissal letter was issued to the workman on 17-8-85.

5. By way of rejoinder to the written statement of the workman the allegations made in the written statement have been denied specifically and parawise stating the same to be incorrect and not fully correct and has been denied. It is also denied that the copy of chargesheet and corrigendum was never given to the workman and that no proper full opportunity was given to him to defend in the domestic enquiry. Other allegations have also been denied and it is finally said that the action of the management was fully justified in dismissing the workman and the letter is not entitled for any relief and award be passed accordingly.

6. I further find that the propriety and fairness of the domestic enquiry was heard as preliminary issue and vide order dated 19-2-90 a detailed order has been passed and it has been held that the copy of the chargesheet was never received by the workman nor it was verified by the Enquiry Officer that actually any copy of the chargesheet was received by the workman or not and accordingly holding of the domestic enquiry was found against the principles of natural justice and unfair and not being fair and proper the management was directed to adduce evidence on merit.

7. Now, the point for consideration is—

- (a) Whether the action of the management in dismissing the workman w.e.f. 17-8-85 is justified?
- (b) If not, to what relief or reliefs the workman is entitled?

8. Both the points are inter-linked and are taken together for their consideration.

9. As the domestic enquiry has been held vide order dated 19-2-90 not fair and proper, the management has examined three witnesses on merit, they are—MW-2 Bijov Rawani, MW-3 Dr. V. K. Sinha, MW-4 Anand Kumar Mandal. Earlier MW-1 N. K. Sharma, Enquiry Officer, was examined on preliminary point on which the aforesaid order was passed.

10. I further find that the concerned workman has examined himself as WW-1 in support of his case and has stated that on 22-6-85 he marked his attendance for 1st shift at 8 A.M. and he developed stomach pain and requested the Asstt. Colliery Manager, Sri Mandal to allow him to go 8pm

on leave but Sri Mandal, Asstt. Colliery Manager slapped him and abused and sent him to the police station and he never assaulted or abused Sri Mandal. Later he was served with a chargesheet and domestic enquiry was held against him and the witnesses of the management have stated incorrectly and he did not commit any wrong, but he was illegally dismissed. He has claimed reinstatement with back wages. He has further stated that in the police case filed by Sri Mandal he was arrested. He has denied that at the time of alleged incident he made for passage of entrance and he was prevented by Sri Mandal for using second passage. He has denied that he has stated in the domestic enquiry when he was about to use the second entrance, Sri Mandal had prevented him and that the passage was meant for haulage. He also denied that he abused Sri Mandal with slaps, fists and also by shoes and due to that Sri Mandal fell down and sustained injury. He has further stated that one Bijay Rewani to whom he told about the same but he did not make any complaint to the colliery management or to the police about assault caused to him by Sri Mandal. He has denied that he had taken this plea in his defence. He has denied that he submitted any reply to the chargesheet and his signature and denied his signature on the explanation or reply marked 'X' and 'X/1' for identification.

No other witness was examined by the workman.

11. MW-2 to MW-4 have supported the occurrence as given by the management in the written statement and MW-2 is a co-worker and has claimed to be an eye witness of the alleged occurrence and has stated that he saw the workman slapping Sri Mandal and also assaulting with shoe and Sri Mandal fell down. He also gave evidence in the domestic enquiry. He further said that Sri Yaswara and Sri Bhattacharjee also saw the occurrence and he could not say that these workmen were working under Sri Mandal and allotment of duty to them was done by Sri Mandal. MW-3 is the Doctor who examined the injury of Sri Mandal and has proved the prescription and injury report, marked Ext. M-2/1 and M-2/2 and has stated that the injury was found near left ear and contusion of back left side and left shoulder back and the injury might caused by sole of shoe and the injury was fresh, but he has not given time of injury in the report. He also did not record statement of Sri Mandal who narrated the alleged occurrence, but he gave first-aid to Sri Mandal in the dispensary and also gave prescription for purchasing medicine. MW-4 A. K. Mandal himself who was assaulted by the workman and has supported the case as given in the written statement. He has further stated that the workman worked under him for two years and there was no report about foul-play made by him. A criminal case was also lodged against the workman on his statement given before the police and has given evidence in the Court, but what happened to that case he did not know. There is no other witness in the case.

12. Some documents have been filed on behalf of the management which are Ext. M-1 chargesheet, Ext. M-1/1 corrigendum of chargesheet, Ext. M-2 enquiry proceeding, Ext. M-3 enquiry report, Ext. M-4 chargesheet and Ext. M-5 dismissal letter. Ext. M-2 series are enquiry proceeding against Karu Bhuiya, Ext. M-2/3 is letter to the Agent given by Sri Mandal, Ext. M-2/4 is F.I.R. given by Mandal to the police. There is signature of Karu Bhuiya on Exts. M-1 and M-1/1 to which he has denied in his evidence that he had signed these documents.

13. While arguing it has been submitted on behalf of the workman that entire domestic enquiry became null and void abinitio and all subsequent action taken against him by the management including dismissal became illegal and unjustified as holding of domestic enquiry itself has been found to be not fair and proper as per order of this Tribunal dated 19-2-90. The management had gone before the Hon'ble High Court against this order in CWC No. 1209/90 (R) and vide order dated 10-7-90 Hon'ble Justice of the Hon'ble Court, Ranchi Bench, "allowed the petitioner-management to withdraw the application with a liberty to challenge the same if the award goes against it". Copy of the order is on record. It is also said that holding of domestic enquiry was found to be not fair and proper by this Tribunal on the ground that there is nothing to show that actually copy of the chargesheet was ever given to the concerned workman although he had demanded the same before the Enquiry Officer and has also mentioned this

fact in his reply given to the management. It is further said that there is no paper filed by the management nor there is any evidence in support of this contention that actually copy of the chargesheet was ever served upon the workman or it was received by the latter so that he could have filed his reply properly and participated in the enquiry himself or through his co-worker to defend himself in the said domestic enquiry. It is also submitted that a number of documents have been filed by the management but there is no bit of paper to show that actually copy of the chargesheet was served upon the workman and holding entire enquiry has been found not fair and proper rightly by this Tribunal by aforesaid order and the same was even confirmed by the Hon'ble High Court, Ranchi Bench as per order passed in CWC No. 1209/90 (R) dated 10-7-90. Accordingly, it is submitted that the action of the management in dismissing the workman was illegal, arbitrary and unjustified and the workman is entitled for reinstatement with full back wages. My attention has also been drawn by the sponsoring union to the authority of Hon'ble Supreme Court reported in 1991 (1) SCC page 588 Union of India Vs. Raman Khan where it has been held punishment passed against the workman vitiated for non-supply of the copy of enquiry report. Another authority referred is ECIL, Hyderabad and others Vs. B. Karunakar and others as reported in 1993 (Vol-4) SCC page 727 where it has been held by their Lordships that "setting aside the order of punishment imposed to the workman was quite proper with a liberty to the management to proceed with the enquiry afresh if it so likes after serving copy of enquiry report upon the concerned workman". It is submitted that as per these authorities dismissal was held to be vitiated for non-supply of copy of enquiry report whereas in the instant case even copy of the chargesheet has not been properly served to the workman to face the domestic enquiry and the evidence was recorded in his absence although the latter appeared in the enquiry and asked for supply of copy of chargesheet which was not given. Even copy of the enquiry report was not given to him bringing to his dismissal and certainly it is submitted that entire proceeding and his dismissal was vitiated as held by the Hon'ble Supreme Court.

14. On the other hand, it has been submitted on behalf of the management that it is incorrect that copy of the chargesheet and that of corrigendum was not given to the workman and as per case record it would appear that it was served to the workman and the allegation that he did not receive the same is also not correct and the enquiry was held fairly and properly and even a co-worker MW-2 has supported the fact of alleged occurrence and MW-3 Dr. Sinha has also supported the same who examined the injury of MW-4 after the occurrence on getting information telephonically and issued Ext. M-2/1 and Ext. M-2/2 prescription and enquiry report. MW-4 has also submitted the fact and it is said that the action of the workman was serious misconduct and the Enquiry Officer found him guilty for the charges levelled against him and after taking approval of the competent authority he has been dismissed vide Ext. M-5 properly.

15. But in view of the above contention of the workman and the sponsoring union I find myself unable to agree with the contention of the management as advanced in the argument and certainly there is nothing to show on record of the enquiry proceeding that the copy of the chargesheet was ever handed over to the workman and that he received the same and from the very beginning he has challenged this point that copy of chargesheet was never given to him even after repeated demand made by him. In this view of the matter the Presiding Officer of the Tribunal has rightly held the preliminary point of domestic enquiry vide order dated 19-2-90 not fair and proper and the management was given liberty to adduce evidence. Although thereafter three witnesses were examined by the management (MW-2 to MW-4) and some documents were also exhibited by the management vide Exts. M-1 to M-5, but there is no bit of paper to substantiate the contention of the management that copy of chargesheet was given to the workman and he received the same. As such the management has miserably failed to bring any positive evidence on record to prove its point that copy of chargesheet was served upon the workman or that he received the same. As the preliminary stage of domestic enquiry i.e. service of copy of chargesheet could not be established by the management and certainly holding of domestic enquiry was not fair and proper and even copy

of enquiry report was also not given to the workman and his subsequent dismissal from service vitiated from these locuna.

16. In view of the above noted authorities of the Hon'ble Supreme Court the action of the management in dismissing the concerned workman with effect from 17-8-85 can't be held to be justified and the workman is entitled for his reinstatement with back wages from the date of his dismissal. However, the management would be at a liberty, if it so desires, to proceed with said domestic enquiry against the workman after reinstating him in service from the stage of service of copy of chargesheet to the concerned workman and to proceed with enquiry and consequent action in accordance with law. The workman may be put under suspension, if so required. But at the moment the management is directed to reinstate the concerned workman in service with effect from 17-8-85 i.e. the date of his dismissal from service. It has come in evidence that for these long years the workman was sitting idle, as such, the management is directed to pay 50% of full back wages to the workman from the date of his dismissal till the date of his reinstatement.

17. Hence, the award—

The action of the management of Salanpur Colliery of Area No. IV of M/s. B.C.C. Ltd. in dismissing Sri Karu Bhuiya from service with effect from 17-8-85 is not justified. The management is directed to reinstate the concerned workman in service with effect from 17-8-85 within two months from the date of publication of the award in the Gazette of India and to pay 50% of full back wages from the date of dismissal till the date of reinstatement. However, the management will be at a liberty to proceed with the said domestic enquiry against the workman after reinstating him in service, from the stage of enquiry of service of copy of chargesheet to the workman and to proceed with the enquiry in accordance with law. The workman may be put under suspension, if so required, by the management.

However, there will be no order so as to cost.

TARKESHWAR PRASAD, Presiding Officer

श्रम मंत्रालय

नई दिल्ली, 04 मार्च, 1997

का०प्रा०... 796.—कर्मचारी भविष्य निधि एवं प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) की धारा 2 के खण्ड (ट ख) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार नीचे दी गयी अनुसूची के स्तंभ (2) में वर्णित अधिकारियों को उक्त अधिनियम के उपबंधों के अंतर्गत शामिल किए गए कारखानों/प्रतिष्ठानों के संबंध में उक्त अनुसूची के स्तंभ 3 में वर्णित क्षेत्रों के लिए उक्त अधिनियम के अंतर्गत बसूली अधिकारियों को शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

अनुसूची

क्रम सं०	अधिकारी का पद नाम	जिस क्षेत्र के संबंध में क्षेत्राधिकार का प्रयोग किया जाना है
1	2	3
1.	कर्मचारी भविष्य निधि संगठन के आन्ध्र प्रदेश क्षेत्र में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त	आन्ध्र प्रदेश राज्य और पांडिचेरी क्षेत्र में यनम क्षेत्र
2.	कर्मचारी भविष्य निधि संगठन के बिहार क्षेत्र में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त	बिहार राज्य
3.	कर्मचारी भविष्य निधि संगठन के दिल्ली क्षेत्र में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त	राष्ट्रीय राजधानी क्षेत्र दिल्ली
4.	कर्मचारी भविष्य निधि संगठन के दिल्ली क्षेत्र में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त	गुजरात राज्य और दादरा तथा नगर हवेली, दमन और दीव संघ राज्य क्षेत्र।
5.	कर्मचारी भविष्य निधि संगठन के हरियाणा क्षेत्र में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त	हरियाणा राज्य
6.	कर्मचारी भविष्य निधि संगठन के कर्नाटक क्षेत्र में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त	कर्नाटक राज्य
7.	कर्मचारी भविष्य निधि संगठन के केरल क्षेत्र में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त	केरल राज्य तथा लक्षद्वीप संघ राज्य क्षेत्र और पांडिचेरी क्षेत्रों में माहे क्षेत्र
8.	कर्मचारी भविष्य निधि संगठन के मध्य प्रदेश क्षेत्र में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त	मध्य प्रदेश राज्य
9.	कर्मचारी भविष्य निधि संगठन के महाराष्ट्र और गोवा क्षेत्रों में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त	महाराष्ट्र और गोवा राज्य

1	2	3
10.	कर्मचारी भविष्य निधि संगठन के उत्तरी-पूर्वी क्षेत्र में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त	असम, नागालैण्ड, मणिपुर, मेघालय, अरुणाचल प्रदेश, मिजोरम और त्रिपुरा राज्य
11.	कर्मचारी भविष्य निधि संगठन के उड़ीसा क्षेत्र में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त	उड़ीसा राज्य
12.	कर्मचारी भविष्य निधि संगठन के पंजाब क्षेत्र में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त	पंजाब, हिमाचल प्रदेश राज्य तथा चंडीगढ़ संघ राज्य क्षेत्र
13.	कर्मचारी भविष्य निधि संगठन के राजस्थान क्षेत्र में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त	राजस्थान राज्य
14.	कर्मचारी भविष्य निधि संगठन के तमिलनाडु क्षेत्र में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त	तमिलनाडु राज्य और पांडिचेरी तथा कराइकल संघ राज्य क्षेत्र, यनम और माहे क्षेत्र को छोड़कर
15.	कर्मचारी भविष्य निधि संगठन के उत्तर प्रदेश क्षेत्र में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त	उत्तर प्रदेश राज्य
16.	कर्मचारी भविष्य निधि संगठन के प० बंगाल क्षेत्र में कार्यरत क्षेत्रीय भविष्य निधि आयुक्त/सहायक भविष्य निधि आयुक्त	प० बंगाल राज्य तथा अंडमान एवं निकोबार द्वीप समूह संघ राज्य क्षेत्र तथा सिक्किम राज्य

2. यह अधिसूचना इस संबंध में जारी की गयी सभी अन्य अधिसूचनाओं का अधिक्रमण करती है।

[संख्या आर-11013/3/95-एस०एस०-II]

जे०पी० शुक्ला, प्रवर सचिव

New Delhi, the 4th March, 1997

S.O. 796.—In exercise of the powers conferred by clause (kb) of section 2 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) the Central Government hereby authorises the officers mentioned in

column (2) of the Schedule mentioned below to exercise the powers of Recovery Officers under the said Act for the areas mentioned in column 3 of the said schedule in relation to factories/establishments covered under the provisions of the said Act.

SCHEDULE

S. No	Designation of the Office	Area in relation to which jurisdiction to be exercised
(1)	(2)	(3)
1.	Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners working in Andhra Pradesh Region of the Employees' Provident Fund Organisation.	The State of Andhra Pradesh and the areas of Yaman in the territory of Pondicherry.
2.	Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners working in Bihar Region of the Employees Provident Fund Organisation.	The State of Bihar.
3.	Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners working in Delhi Region of the Employees' Provident Fund Organisation.	National Capital Territory of Delhi.
4.	Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners working in Gujarat Region of the Employees' Provident Fund Organisation.	The State of Gujarat & Union Territory of Dadra & Nagar Haveli, Daman and Diu.

(1)	(2)	(3)
5. Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners working in Haryana Region of the Employees' Provident Fund Organisation	The State of Haryana.	
6. Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners working in Karnataka Region of the Employees' Provident Fund Organisation.	The State of Karnataka.	
7. Regional Provident Fund Commissioners/ Assistant Provident Fund Commissioners working in Kerala Region of the Employees' Provident Fund Organisation.	The State of Kerala and Union Territory of Lakshadweep and area of Mahe in the territories of Pondicherry.	
8. Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners working in Madhya Pradesh Region of the Employees' Provident Fund Organisation.	The State of Madhya Pradesh.	
9. Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners working in Maharashtra and Goa Regions of the Employees' Provident Fund Organisation.	The States of Maharashtra and Goa.	
10. Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners working in North Eastern Region of the Employees' Provident Fund Organisation.	The States of Assam, Nagaland, Manipur, Meghalaya, Arunachal Pradesh, Mizoram and Tripura.	
11. Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners working in Orissa Region of the Employees' Provident Fund Organisation.	The State of Orissa.	
12. Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners working in Punjab Region of the Employees' Provident Fund Organisation.	The States of Punjab, Himachal Pradesh and Union Territory of Chandigarh.	
13. Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners working in Rajasthan Region of the Employees' Provident Fund Organisation.	The State of Rajasthan.	
14. Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners working in Tamil Nadu Region of the Employees' Provident Fund Organisation.	The State of Tamil Nadu and the Union Territory of Pondicherry and Karikkal except area of Yaman and Mahe.	
15. Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners working in Uttar Pradesh Region of the Employees' Provident Fund Organisation.	The State of Uttar Pradesh.	
16. Regional Provident Fund Commissioners/Assistant Provident Fund Commissioners working in West Bengal Region of the Employees' Provident Fund Organisation.	The State of West Bengal and Union Territory of Andaman & Nicobar Islands and the State of Sikkim.	

2. This notification supersedes all other notifications issued in this regard.

[F. No. R-11013/3/95-SS.II]
J. P. SHUKLA, Under Secy.

नई दिल्ली, 6 मार्च, 1997

New Delhi, the 6th March, 1997

का०आ० 797 :—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा-(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1-4-1997 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (धारा-44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय-5 और 6 (धारा-76 की उपधारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध ओड़ीसा राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :—

"जिला एवं तहसील पुरी में पुरी शहर और इसके आसन्न राजस्व ग्राम अथरनाला, गोपीनाथपुर और मोहिनीपुर की नगरपालिका सीमाओं के अन्तर्गत आने वाले क्षेत्र"।

[संख्या : एस०-38013/4/97-एस०एस०-I]

जे०पी० शुक्ला, अवसर सचिव

S.O. 797.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employee's State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st April, 1997 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Orissa namely :—

"The areas comprised within the Municipal limits of Puri Town and adjoining Revenue Villages of Atharanala, Gopinath pur and Mohinipur under the Tahasil and District of Puri."

[No. S-38013/4/97-SS. I]

J. P. SHUKLA, Under Secy.

